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Explaining Territorial Demands: Party Competition as a Driver of Self-government Claims in Decentralised Stateless Nations

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Abstract

The first wave of stateless nationalist mobilisation triggered decentralisation processes in several Western European states. Political autonomy provided European stateless nations with sub-state institutions with significant competences to manage their own affairs. Multinational federalism scholars have long debated whether political decentralisation to accommodate stateless nations appeases demands for secession or rather exacerbates them. Autonomous institutions created a new sub-state political system which political entrepreneurs, most significantly Stateless Nationalist and Regionalist Parties, are able to exploit to put forward demands for further empowerment of sub-state institutions.

In the last decade territorial demands have been progressively raised by political parties in some Western European stateless nations, thus casting doubt on the effectiveness of political decentralisation as a valid mechanism to prevent secession. Scotland voted on independence on September 2014 whereas Catalan nationalist parties have been attempting to hold their own referendum since 2013.

By looking specifically at the effects of political party competition at the sub-state level, this research aims at providing an explanation for the dynamics of territorial demands that have led to a high saliency of the territorial question in many Western European multinational states. An in-depth qualitative analysis of party competition in Catalonia aims to provide a successful explanation for the escalation of territorial demands in that country, also taking into account the role played by central institutions and the increasing support that secession shown amongst the population. The Catalan case is compared to Flanders and Scotland to test whether the dynamics of party competition can tell us a bit more about the ongoing territorial demands put forward by political parties in these three countries.

The territorial accommodation of multinational states have tended to be analysed from an institutionalist perspective whereas multi-level party competition has kept a blind eye on constitutional change. This research aims at contributing to the growing literature of sub-state party politics and its capacities to explain constitutional change processes.

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List of Abbreviations

| | | |
|----------|---|---|
| AP | – | Alianza Popular |
| BHV | – | Brussels-Halle-Vilvoorde |
| CC | – | Coalición Canaria |
| CDC | – | Convergència Democràtica de Catalunya |
| CDS | – | Centro Democrático y Social |
| CD&V | – | Christen-Democratisch en Vlaams |
| CiU | – | Convergència i Unió |
| C's | – | Ciutadans–Partido de la Ciudadanía |
| CUP | – | Candidatures d'Unitat Popular |
| EEC | – | European Economic Community |
| ERC | – | Esquerra Republicana de Catalunya |
| ETA | - | Euskadi Ta Askatasuna |
| EU | – | European Union |
| FCI | – | Fondos de Compensación Interterritorial |
| ICV | – | Iniciativa per Catalunya–Verds |
| LOAPA | – | Ley Orgánica de Armonización del Proceso Autonómico |
| MP | – | Member of Parliament |
| N-VA | – | Nieuw-Vlaamse Alliantie |
| Open VLD | – | Open Vlaamse Liberalen en Democraten |
| PCE | – | Partido Comunista de España |
| PM | – | Prime Minister |
| PNV | – | Partido Nacionalista Vasco |
| PP | – | Partit Popular/Partido Popular |
| PSA | – | Partido Socialista Andaluz |

PSC – Partit dels Socialistes de Catalunya
PSOE – Partido Socialista Obrero Espanyol
PSUC – Partit Socialista Unificat de Catalunya
SCI – Solidaritat Catalana per la Independència
SNP – Scottish National Party
SNRP – Stateless Nationalist and Regionalist Party
sp.a – Socialistische Partij Anders
SWP – State-wide Party
UCD – Unión del Centro Democrático
UDC – Unió Democràtica de Catalunya
UPyD – Unión, Progreso y Democracia
UK – United Kingdom
VAT – Value Added Tax
VB – Vlaams Blok/Vlaams Belang
VU - Volksunie

To the memory of my grandfather

Chapter 1. Introduction

Territorial politics have been salient in most Western democracies since the 1960s and 1970s, with centre-periphery tensions being fuelled in some particular cases by the existence of a plurality of diverse national identities within the boundaries of the state. Peripheral nationalism and claims to self-determination have been at the heart of the political debate in a significant number of countries, with demands for autonomy and even independence being espoused by broad cultural nationalist movements and also by stateless nationalist parties, either of recent appearance or with a long history of existence (De Winter 1998a; Seiler 1994).

Central governments reacted and adapted their territorial organisation to provide a better accommodation to those who were not entirely comfortable with the dominant nation-state paradigm. Several cases illustrate this pattern. Belgium reformed its constitution in 1970 to recognise the existence of French- and Dutch-speaking communities within its borders (McRae 1986). In Canada, the central Parliament symbolically recognised Quebec as a nation while devolution was discussed in the United Kingdom for the home nations (Keating 2001a). Such movements often followed the electoral breakthrough of stateless nationalist parties, such as the *Volksunie* (VU) in Flanders or the Scottish National Party (SNP) (De Winter, Gómez-Reino Cachafeiro, and Lynch 2006). In other cases, dictatorships and cultural and political repression could not prevent the rise of stateless nationalism either, as the case of Francoist Spain showed with strong Catalan and Basque nationalist movements that decisively influenced the shape of the country's transition to democracy (Llobera 1997; Moreno 2001b).

In the long run, political autonomy has been granted or extended to these stateless nations so they can manage some of their own affairs, with substantial powers in public policy and tools to protect and promote their distinctive culture, including competencies in areas such as education, the media, and the arts. With the notable exceptions of the Basque Country, Corsica, and Northern Ireland, these processes have been dealt with in the complete absence of violence and territorial claims have been pursued through the democratic political process. Tensions have not disappeared,

though, and claims and counterclaims with regard to the specific scope of regional self-government, the nature of state and nation, and the complex issue of national identity have been prominent in the political debate in many Western multinational states. Stateless nationalist parties have been in office and have had an impact on state-wide politics as well, and some have used their strong position as sub-state government parties to demand a renegotiation of the constitutional status of their sub-state nation.

This demand for a continuous renegotiation of the constitutional status of stateless nations is still a highly relevant topic today. Scotland voted on its independence from the United Kingdom in September 2014 in a referendum sponsored by the SNP. Belgium has suffered two serious governmental crisis in the last few years because of territorial issues and a lack of agreement between Flemish and Francophone parties. Support for independence has never been higher in Catalonia and a non-binding public consultation on the matter was conducted in November 2014. Territorial disputes at the heart of Europe are more salient than ever and multinational states face self-determination demands while also sharing more and more sovereignty with the European Union. The concept and nature of the state is under debate and internal territorial politics is at the heart of this discussion.

This Ph.D. Thesis aims to shed some light on the causes of these ongoing demands for a renegotiation of the constitutional status of stateless nations in European multinational states. The territorial debate in some of these countries has changed dramatically in the last decade. Political parties that are in favour of independence are in power today in Catalonia, Flanders, and Scotland. Demands for further decentralisation have evolved into demands to hold independence referendums in Scotland and Catalonia. While in the former case the Scottish people voted to remain in the UK, the rejection of the Spanish government to hold a similar referendum in Catalonia has not appeased the determination of Catalan stateless nationalist parties to seek secession. Political decentralisation has not put an end to demands for further constitutional change and the accommodation of stateless nations within multinational states is thus challenged in several contexts.

It is the intention of this research to provide an explanation of the persistence of territorially-based demands by looking specifically at the role played by political

parties. Nowhere has this evolution in territorial demands been more acute than in Catalonia. As a Catalan, I have witnessed the transition experienced by a moderate nationalist party, *Convergència i Unió* (CiU) from being content with the constitutional status quo to supporting independence and calling for a referendum on secession in a timespan of ten years.

The process of reform of the Catalan Statute of Autonomy (2003-2010) set the ground for the current events. After a proposal of reform was agreed in the Catalan Parliament in 2005, the Spanish Parliament passed a final draft in 2006 which was ratified by the Catalan people in a referendum held in June that year. The main political parties looked satisfied with the outcome of the reform and it seemed that the constitutional question in Catalonia would be settled for a few good years. However, a Constitutional Court ruling in 2010 declared part of the new Statute of Autonomy to be unconstitutional, which triggered discontent across Catalan nationalist parties and public opinion. Following the Court's ruling, several parties in Catalonia have put forward further territorial demands, which have ultimately evolved to a majority of the Catalan Parliament to back a demand to hold a referendum on independence.

As an undergraduate student in Politics, I was keen on following the political debates leading to the reform of the Statute and I became intellectually curious about the main topics around the reform and the long-lasting political intention of the accommodation of Catalonia within a multinational Spain. These topics included, among others, federalism, multinational states, constitutional law, nationalism and national identities. The process of reform of the Catalan Statute of Autonomy was a very valuable case study in many of these areas: the new Statute was intended by the Catalan leading negotiators to better recognise the national character of Catalonia and its constitutional entrenchment in a decentralised and plurinational Spain.

My intellectual curiosity brought me to Edinburgh in 2009 to study the subject of nationalism in detail, which led me to pursue an MSc in Nationalism Studies at the University of Edinburgh. The choice of moving to Scotland was not random by any means. Scotland and Catalonia have been often compared and regarded as two cases of old stateless nations within wider, multinational polities. My experience in Edinburgh allowed me to become more familiar with the Scottish and British realities,

although I always maintained a comparative perspective in mind regarding the events that were going on in Catalonia.

When I arrived in 2009, a minority SNP government intended to call a referendum on independence but lacked the necessary support to do so in the Scottish Parliament. At around the same time, the Commission on Scottish Devolution was putting forward a report to recommend further devolution to Scotland through a revision of the devolution settlement in place since 1999. From looking at both cases comparatively, I realised that in both countries devolution, or autonomy, was under revision; that territorial issues constitute an important share of the political agenda; and that demands for constitutional change seemed by no means about to decline. Here lies the main motivation of this research, which is to understand why political parties in stateless nations that already enjoy a substantive degree of self-government keep asking for more. The way I will look at it focuses on the role played by political parties, with a specific emphasis on party competition to provide a plausible explanation for the dynamics of demand-response-demand that can be observed, with the hope that a thorough qualitative study of specific case-studies might tell us more about the dynamics of constitutional change and the role played by political parties to trigger it in multinational contexts.

In light of how political events have turned out, specifically regarding the political tensions that have evolved in Catalonia and Spain around the territorial question, it is my aim to provide an explanation of the dynamics of territorial demands in Catalonia since the proposed reform of the Catalan Statute of Autonomy up to the demand backed by a majority of the Catalan Parliament to hold a referendum on Catalonia's independence. However, similar processes of party-driven territorial demands are occurring in Scotland and Flanders, and it is the intention of this study to compare across cases to better test my hypotheses, which are largely derived from the Catalan experience.

Structure of the Thesis

The second chapter introduces the theoretical framework of this thesis. The origins and rise of stateless nationalism are explained alongside the role played by nationalist parties in championing territorial demands. Then, the main strategies implemented by state institutions to contain and accommodate territorial demands from stateless nations are discussed. Finally, the chapter introduces the importance of party competition as a possible explanation for political parties' persistence of territorial demands in stateless nations.

Chapter 3 sets out the research question of this Ph.D. Thesis and establishes and examines the dependent variable: territorial demands. Then, three variables are considered as explanatory factors of the dynamics that lead political parties in multinational contexts to keep demanding further territorial claims: party competition, the strategies of accommodation implemented by the state, and the effect of public opinion on political parties' territorial demands. A qualitative in-depth study of the Catalan case is presented in order to analyse the relationships between the variables that drive territorial demands, while the cases of Flanders and Scotland are added to broaden the analysis and better test our hypotheses.

The empirical analysis of Catalonia is contained in the three following chapters. Chapter 4 introduces the Catalan political parties, their electoral performances, and their constitutional traditions. Then, the chapter charts the evolution of Catalan demands for self-government since Spain's democratic transition to democracy.

Chapter 5 analyses the effects of party competition on the dynamics of territorial demands in Catalonia. Two types of competition are considered. First, between stateless nationalist parties and state-wide parties, and second between different stateless nationalist parties. The analysis then turns to the effect that incumbency has on party competition by pointing out the strategies carried out by parties to compete on the territorial question depending on whether they are in government or in opposition.

Chapter 6 looks at the other two variables, namely state accommodation strategies and the effect of public opinion on political parties' territorial demands. The first section

of this chapter assesses the effect that Spain's symmetric logic of decentralisation has had on framing Catalan political parties' views on the constitutional status of Catalonia. The process of reform of the Catalan Statute of Autonomy will drive most of the analysis, while the impact of the reform has also had a great influence on the state's strategies to deal with the successive territorial demands from Catalan political parties. The second part of Chapter 6 will analyse the impact that the constitutional preferences of the public have on influencing political parties' territorial demands.

Chapter 7 will introduce a comparative element to the analysis. The three variables will be examined in relation to the effects that they have on the territorial demands put forward by political parties in Flanders and Scotland. Comparisons will be drawn between these two cases as well as the evidence gathered from the Catalan case.

This Ph.D. Thesis comes to a close with Chapter 8, which will wrap up the main argument that the dynamics of territorial demands raised by political parties in decentralised stateless nations can be convincingly explained by political party competition.

Chapter 2. Political Parties and the Dynamics of Constitutional Change

Territory and identity are widely contested issues in several European countries where some citizens claim to have dual and complex national identities and others reject to share the same national identity of their fellow citizens. Identity is the backbone of several stateless nationalist movements across Europe that have long demanded political recognition and self-government to manage their own affairs. Such demands led to an eventual decentralisation of power in several European states with the creation of devolved, regionalised, and federal states, where power is territorially divided between a central state government and sub-state institutions that represent the territories comprising those who claim to have a sub-state national identity. Although this process of decentralisation started a few decades ago, it has not halted by any means. The nature of the territorial organisation of power has been questioned by actors both at the centre and the periphery and claims for a re-negotiation of such territorial settlements have been put forward by a variety of different political actors.

The raising power of stateless nationalist movements led to the creation of political parties that espoused the interests of the stateless nation as their primary concern, and the participation of such parties in the political process led to institutionalised demands for political decentralisation. Once states transferred powers to the regions, such political parties aimed to become the leading political actors in their home territories by aiming to achieve office at the sub-state level and contributing to generate a specific sub-state politics and party system. Other parties, those that are present throughout the state, or State-wide Parties (SWPs), do also take an active part in sub-state politics and have also had access to regional government capacities. Thus, competition between parties in such contexts involves territory as well as socio-economic issues, and the constitutional status of the stateless nation is often a highly debated topic amongst political parties, the media, and the public.

These debates are quite relevant in cases such as Catalonia, Flanders, and Scotland. Political parties campaign on extending these territories' governmental authority, from moderate transfers of competencies, to more economic and fiscal resources, and even

for the outright independence of these nations from their respective states. Other parties, however, are quite content with the territorial status quo and engage in the political debate to discredit the constitutional ambitions of their opponents and put the case for the benefits of the institutional status quo. Thus, political party competition in such contexts invariably involves discussions on territory, which political parties keep very much alive. Such territorial disputes are not only about autonomy or regional powers, but also resolve about nationalism and national identity, with often opposing claims to different peoples, that of the stateless nation vis-à-vis the entire population of the state, as the legitimising body for one constitutional option or another.

These territorial conflicts have been widely studied in the literature, ranging from explanations to the reasons for peripheral nationalist mobilisation (Coakley 1992; Rokkan and Urwin 1983; Rudolph and Thompson 1985) to the ways in which central governments responded to such peripheral unrest, which include, amongst other strategies, political decentralisation granting such communities some policy-making powers (Keating 1988). These accounts focused on the centre and peripheries as actors and primarily analysed the institutional settlements to accommodate national diversity in plural states. These studies have been followed by a rich theoretical and empirical literature on the benefits of federalism and decentralisation to give an adequate response to stateless nationalist aspirations (Amoretti 2004; Gagnon 2003; Linz 1997; McGarry and O'Leary 2007; Requejo 2004). This kind of literature, however, has not paid much attention to political parties and the role that party politics has played in putting such institutional strategies to manage multinational polities under stress.

On the other hand, there is a broad body of literature that discusses the characteristics and growth of stateless nationalist parties and their territorial objectives (De Winter 1998a; Newman 1994; Seiler 1982), but this literature is somehow disconnected from party politics and does not account for the role that competition between nationalist and other parties play in challenging the territorial status quo. Similarly, there is a rising body of literature that analyses the organisational and strategic challenges of SWPs in order to effectively compete in decentralised and multilevel contexts (Fabre 2008; Libbrecht, Maddens, and Swenden 2013; Swenden and Maddens 2009). This literature however does not consider what effects party competition has on constitutional change (for a notable exception, see Alonso 2012).

Political parties do indeed play a crucial role on territorial politics by raising demands and concerns over the constitutional status of both the state and the stateless nation; they are in charge of governments both at the centre and at the sub-state level and can therefore claim to be the legitimate representatives of the people, which demand, or oppose, constitutional change. Institutionalist accounts have pointed out the paradoxical effect of political decentralisation and federalism in order to manage multinational polities: while political decentralisation was thought of and undertaken by states to appease demands for secession, regional self-government may ‘provide incentives to mobilize in favour of separation, and, most alarmingly, provide institutions that can be used to overcome the collective action problem to accomplish secession’ (L. M. Anderson 2010: 131). To put it simply, by providing sub-state institutions, the state was also providing a structure of political opportunity to nationalist movements to promote and legitimise claims for secession.

In Spain, Belgium, and the United Kingdom, long-established decentralised systems have been in place in order to accommodate their most identity-assertive regions, and yet a secessionist party is in power in Scotland –which led to a referendum on independence to take place in September 2014; another Flemish secessionist party has been the first party in Belgium since 2010 and leads the Flemish government since the May 2014 elections; and CiU, the traditional autonomist nationalist party in Catalonia, back in power since 2010, turned separatist in 2012. Although none of these three nations has become an independent state as yet, the territorial debate is highly vivid in each one. Hence, the question of ‘whether federalism provides a stable, long-lasting solution to the management of conflict in divided societies or is, instead, a temporary stop on a continuum leading to secession and independence’ (Erk and Anderson 2009: 192) is a very relevant one, and one of a very difficult answer. However, little attention has been placed on the specific role of party competition in explaining the challenges that decentralised polities experience through demands for substantial constitutional change or independence. Institutionalist accounts are indeed important, but if institutions were the most important factor, why then we do not see the same secessionist pressures in other contexts, such as the Basque Country, Galicia, Wales, Wallonia, or Northern Italy? The study of political party competition will provide a more comprehensive explanation of the dynamics of constitutional change to

complement the substantial effect that sub-state institutions have produced in making it easier for political parties and broader nationalist movements to promote territorial demands.

This chapter will first discuss the key concepts and ideas relevant to this thesis. Second, it will discuss sub-state nationalism by providing the explanations behind this phenomenon, the type of demands posed by nationalist movements, and the role that political parties play as vehicles to put forward these demands. Third, the way states responded to territorial demands is discussed with a specific focus on the role that political parties play as agents for delivering constitutional change. Finally, the fourth section introduces party competition as the main driver of territorial demands in multinational states and suggests that the struggle of parties for power in contexts where territory and self-government is a highly salient topic increases the likelihood of successive demands for constitutional change to be put forward by parties and sub-state governments.

1. Nations, Nationalism, and Multinational States

Nations are social groups with similar cultural characteristics and whose members have a common sense of membership to the group. This sense of membership is shared across members of the social group without each member personally knowing all the other members. Nations were thus famously described as ‘imagined communities’ (B. R. Anderson 1983), as a result of a historic process in which certain political institutions put together the necessary tools to create amongst the population this sense of constituting a social and political community. The education system, the army, the press, or maps are just a few examples of nation-building techniques inspired by nationalism, which is ‘primarily a political principle, which holds that the political and the national unit should be congruent’ (Gellner 1983: 1). The modern state, as the paradigmatic political structure of our time, engaged in processes of nation-building so the population under its control assimilated a sense of common membership based on the cultural and symbolic traits of the majority population.

However, such processes were not completely successful and it has been noted that only a minority of states are proper nation-states, that is, with a rather homogenous population that almost exclusively identifies with the state national identity (Connor 1994). Among the rest, it is of relevance to discuss multinational states as those composed of a plurality of such ‘imagined communities,’ normally including a national majority or ‘*staatsvolk*’ (O’Leary 2001: 291), such as the English in the UK, the English-speakers in Canada, or the Castilian Spanish in Spain. Other groups however are present and identify themselves with a distinct territorially-based ‘community,’ although often a certain degree of dual identity exists –i.e. people identifying as ‘both’ members of the national majority and the smaller community. As the name suggests, then, multinational states contain a plurality of nations within its territory, although this ‘means not only that there are a number of different nations within a polity; it also indicates [...] that these nations have their own ways of interpreting history, valuing their languages, customs and traditions, or understanding what is or should be their political, economic, and cultural role in the present and future’ (Requejo 2003: 25). These views from the alternative nations to that of the majority might be conflictive to the state-dominant view, which may result in territorial and identity disputes. According to Erk (2011: 524), for example, ‘not every constituent nation sees the union in identical terms. For English-speakers, Canada is a federation of ten provinces; for French-speakers it is a union of two nations. Catalans view themselves as a nation within the Spanish federal system of Autonomous Communities; for Castilian-speaking Spaniards theirs is a single nation with a regional linguistic diversity.’

The particular views from alternative nations are grounded on a distinctive identity which relies upon two criteria, one objective and one subjective. There may be some objective elements of distinctiveness, such as ‘historical, linguistic and cultural characteristics, which singularize a collective situated in a more or less defined territory, and which distinguish it from others in the surrounding area’ (Requejo 2010a: 277). The subjective element determines the national character of the sub-state community, that is, whether it sees itself as an ‘imagined community.’ In this sense, the group must be ‘self-conscious’ of its national character (Lecours 2000: 105), which is essential in order to account for potential identity and territorial conflicts between

the majority and minorities. The self-consciousness of the group as a nation will have an impact on territorial politics and potential demands, because 'what matters is how a group sees itself, not how others define it' (Rudolph 2006: 2). In this sense, this self-definition of the group as a nation normally carries along a 'desire for a different status and self-government, which these collectives have historically expressed, and continue to express in the present' (Requejo 2010a: 277). The will for self-government is strongly linked to nationalism as an ideology as noted above. Self-government implies a certain political unit which is quickly linked to the sub-state national group. As a result, both objective and subjective elements set the path to implement rival or complementary forms of nation-building to those carried out by the state-dominated majority. Nation-building and self-government, therefore, imply the aim to achieve some degree of sovereignty on behalf of the sub-state national community, and this is why this kind of 'regional communities desiring sovereignty are indeed commonly referred to (by themselves as well as others) as stateless nations' (Fitjar 2010: 4).

Stateless nations, or nations without states, are nations with objective distinct characteristics and a self-conscious character that justifies a desire for self-government, and are said to be stateless because these nations are included within the boundaries of other, larger states with a distinct national identity (Guibernau 1999: 33). The presence of objective distinctive elements, such as language, institutions, or traditions, has often led to claims that non-state nationalisms were essentially of an ethnic nature, and 'organizations and activists that claimed for a regionally based group an identity distinct from that of the 'national' population, and aspired to some form of territorial change and political autonomy, were for long more likely to be condemned as misguided criminal terrorists or ridiculed as quaint and irritating anachronisms' (Rokkan and Urwin 1982: 1). The critics of stateless nationalism, often members of majority communities in multinational states, espoused a dichotomy between good and bad nationalisms, in which the supposed ethnic nationalism emphasising the distinctiveness of the minorities was 'backward-looking' while civic nationalism or constitutional patriotism was 'forward-looking' (D. Brown 1999: 283).

However, most nationalisms have elements of both civic and ethnic character, including state-nationalism. Language, for instance, is often depicted as an ethnic and exclusionary element of Catalan and Flemish nationalism, but it is also a mechanism

for integration and cohesion in a civic community; most stateless nationalisms include ethnic elements such as language or religion but also civic elements rooted in the community, such as traditions, values, and institutions (Keating 2001a: 11, 22). Nationalist claims for self-government are grounded on distinctive elements and the right that stateless nations espouse to rule themselves is not intrinsically different from the sovereignty principle claimed by state-dominated national majorities to defend national independence.

The demand for self-government has traditionally been answered by some sort of decentralisation, which implies ‘the removal of core resources from the [centre] to lower levels of a multi-layered system, whether these resources are fiscal, jurisdictional, or administrative’ (Bolleyer and Thorlakson 2012: 568). Decentralisation, in several forms, provides stateless nations with some sort of autonomy on the basis of the self-determination principle, which entitles national groups to rule themselves within the existing state (Lijphart 1995: 275). Autonomy is the response to ‘the right of *communities* –defined by territory, language, culture or religion– to govern themselves, so that their distinctive features are protected and promoted’ (Loughlin 2000: 10). The most extensive way to accommodate its internal national plurality, albeit reluctantly in most cases, has been to implement political decentralisation consisting of a ‘set of constitutional amendments [...] designed to open new –or activate existing but dormant or ineffective– spaces for the representation of subnational polities. Political decentralization policies are designed to devolve political authority or electoral capacities to subnational actors’ (Falleti 2005: 329). Political decentralisation therefore implies the creation of new sub-state representative institutions for the stateless level, which allows for the more direct political participation of the sub-state community through the election of parliaments and governments with several policy competences that may better suit the specific characteristics of the community.

Finally, the establishment of new sub-state institutions allows for party politics to be highly specific in the sub-state context and may lead to a regional party system which is quite different from the political party spectrum of the state as a whole. This is in part due to the presence in stateless nations of parties that are solely created and designed to represent the interests of the specific sub-state national community, and

whose main aim is to defend and demand regional autonomy (De Winter 1998a: 204; Fabre and Martínez-Herrera 2009: 234). These are Stateless Nationalist and Regionalist Parties (SNRPs), defined as ‘political parties whose core business is sub-state territorial empowerment, whereby empowerment involves seeking to represent and advance the particular interests of the stateless territory and where territorial interests may be economic, political, social, cultural or symbolic in nature’ (Hepburn 2009: 482). These parties are therefore clearly nationalist since they fully internalise and commit to the self-conscious element that the stateless territory is indeed a nation, comprised within the boundaries of a larger multi-national state. They are also committed to the nation’s self-government and their territorial aims respond to this principle: they demand either some sort of self-government when the stateless nation lacks it and they present themselves as the nation’s self-government guarantors when this is achieved, both by rejecting centralism and by promoting further autonomy.

However, SNRPs are not the sole political parties in stateless nations. State-wide parties operate across the territory of the state and therefore are also present in stateless nations. The nature of party competition in these territories will be substantially different from those of the party competition at the centre and of other regions without any significant distinctive national identity. In stateless nations, though, the presence of SNRPs produces a considerable effect on the nature of party competition, with territory becoming as much a salient cleavage as socio-economic issues. The nature of party competition involving the different parties’ conflicting views on the constitutional status and national character of the stateless nation sets the ground for territorial demands to be one of the main topics of political dispute. The interactions between parties at the sub-state level and also from a multi-level perspective may provide an explanation for the dynamics of constitutional change present in several European multinational states.

2. Stateless Nationalism and Territorial Demands: Political Parties as Vehicles of Constitutional Change

2.1. The Rise of Stateless Nationalism

The modern organisation of the world around the state as the main political entity presupposed a homogeneous character of the state as a social and political unit. According to Keating (1999: 72), the 'rise of the modern state represented a concentration of authority within territorially defined units and the assertion of a unitary principle of sovereignty.' The unitary conception of sovereignty was reinforced by nationalism through the definition of the people or the nation as each state's sovereign body, which led to the common assumption that states and nations were congruent entities and states were often referred to as 'nation-states' (Connor 1994; Llobera 1997). However, this homogeneous and unitary conception of the state as a single national entity was a mere ideal concept, while in truth, 'even in the heyday of the west European nation-state in the twentieth century, territorial integration was never complete' (Keating 1999: 74). The shortcomings of several European states to achieve a complete integration led to a plurality of national groups coexisting within the state territory. Multinational states, thus, contained several groups competing to assert their claims on territory, culture, and identity which set the scene for potential conflict, given that the state's territorial boundaries were clearly defined, indeed, but the boundaries between social groups were not as clear (Coakley 2003b: 2).

The minority groups 'frequently possess a distinct set of historical and cultural customs, language, and religion, and the issues generated by the territorial cleavage typically involve the efforts of the ethnoterritorial community to preserve its cultural distinctiveness, to obtain a fair share of the broader society's resources, and/or to achieve a greater control over its own political life' (Rudolph 2006: 6). Therefore, preserving the distinctive traits of minority groups is articulated politically on the grounds that the group itself possesses distinctive characteristics that account for a different identity from that of the rest of the state. Keating writes that 'where groups of people sharing cultural, linguistic or religious traits or common economic interests are concentrated in particular territories, a sense of collective identity might develop' (1988: 16). Territory is accordingly a crucial factor in consolidating the groups' sense

of identity, based on the concentrated nature of the group within a delimited geographical area of the state.

Common identity and territorial concentration lead these social groups to claim self-determination based on their subjective character as a nation, which accordingly allows them to decide or determine their future as a collectivity (Keating 2001b: 3). Thus, these groups style themselves as minority or stateless nations and through their respective national movements try to enforce the principle of self-determination for their communities. National movements, it has been argued, try to 'reshape state structures' (Coakley 1992: 1) in order to provide a better representation of the group's interests, which involves some sort of self-government so the sub-state national community can manage its own affairs. As Hooghe (1992: 21) puts it, the 'nationalist movement claims that the organization of the political realm should express ethnic distinctiveness,' which implies that 'political decisions affecting the [...] group –at least in some policy areas– ought to be made by members of that group itself.'

There is a wide assortment of cases of such stateless nations that put forward claims to self-government, such as Catalonia and the Basque Country in Spain, Scotland and Wales in the UK, Flanders and Wallonia in Belgium, or Quebec in Canada (Erk 2005b). There is also ample evidence that demands from stateless nationalist movements became particularly salient for the first time in the 1960s and 1970s (Forsyth 1989; Keating 1988; Keating, Loughlin, and Deschouwer 2003; Llobera 1997; Thompson and Rudolph 1989). This wave of territorial demands was seen as part of a broader phenomenon labelled as the 'Rise of Regional Europe' (Harvie 1994); a phenomenon that hit Europe as a whole, from Norway and other cases where sub-state identities did not take the shape of nationalist movements, to the more 'explicitly and visibly voiced ethno-national movements in Belgium, Spain or the UK' (Rokkan and Urwin 1982: 2). Nationalist movements took at that time different shapes, in terms of mobilisation strategies, from lobbying and civil disobedience to using party politics as a vehicle, either through the regional branches of SWPs or by launching specific SNRPs to demand concessions from central governments (Rudolph and Thompson 1989: 223). Sub-state nationalist movements were normally led by middle-class intelligentsia (L. Hooghe 1992: 30) and of particular relevance was their engagement in party politics. 'In several countries the leadership of these ethnic movements

coalesced around political parties whose primary *raison d'être* was the improvement of the cultural, social, economic, and political conditions of their potential ethnic constituency' (Newman 1994: 28). The necessity to articulate territorial demands which were quintessentially political forcefully required the canalisation of such demands through the state's institutions and therefore political parties were crucial actors in spearheading stateless nationalist movements.

2.2. Goals and Strategies of Stateless Nationalist Movements

The main objective of nationalist movements was to acquire control over their own political, social, and economic affairs (Brancati 2006: 652), in order to prevent the group's interests from being affected by the external influence of other groups, notably those of the majority group in a given state. This logic responds to the idea that a particular group, or nation, is the best suited to define its own interests and priorities. In essence, this corresponds to the principle of self-determination mentioned above. Self-determination is therefore claimed by national movements, and specifically by SNRPs, which aim 'at making an ethno-national community responsible for itself' (Seiler 1994: 20). The main idea is that political autonomy is necessary to accomplish the aforementioned objective of giving stateless nations the possibility to manage their own affairs. According to Fitjar (2010: 5), the group's 'interests could be more effectively advanced if the region were allowed more autonomy on internal matters' and thus stateless nationalists 'want to strengthen the regional layer of government by increasing the political and/or economic autonomy of the region within the national constitutional framework.' Self-determination was claimed by stateless nationalist movements to better satisfy the national interests through some sort of political autonomy. However, there was a wide variation on the specific type of territorial demands put forward by nationalist movements, while taking into account that a demand for self-determination need not necessarily imply a demand for secession (Keating 2001b: 28). The principle of self-determination espoused by nationalist movements argued for managing the nation's own affairs, a principle that SNRPs defended in Western liberal democracies, which was 'precisely the same kind of

democratic and liberal legitimation as the larger nations within which [the stateless nations] are presently contained' (Keating 2001c: 45).

The literature contains a wide variety of typologies of territorial demands. There are two main kind of typologies. On the one hand, there are typologies that focus on the constitutional desired outcome and tend to be of a progressive nature. That is, typologies tend to present categories of demands that range from modest demands that require little constitutional change to more assertive demands for deep constitutional reform or even secession. On the other hand, other typologies are of a functional nature, classifying demands depending on the domain affected by the stateless nationalists' claims. These may focus on authority issues, which include the transfer of competences to the sub-state level of government; economic and fiscal issues, or symbolic matters.

Rudolph and Thompson succinctly describe four main categories of territorial demands posed by nationalist movements, with a clear progressiveness that ranges from minor concessions to full independence for the stateless nation's territory. According to them, the typology is constructed from the empirical observations of several nationalist movements during the rise of peripheral nationalism occurred in the 1960s and 1970s, arguing that

'there are those movements which are less concerned with achieving regional self-rule than with expanding their respective region's share of government outputs [...]. Other movements are primarily concerned with affecting who makes decisions, that is, with the nature of existing political authority [...]. Closely related, a third type of movement focuses on changing the nature of the regime, the political-constitutional principles and structures regulating the manner in which decisions are made. Typically, nationalist organizations of this variety will opt for a federal-like system in which their region has autonomous control over those economic and cultural decisions affecting it [...]. Finally, organizations may sincerely challenge the legitimacy of the boundaries of the multinational political community in which they find themselves and champion independence' (Rudolph and Thompson 1985: 293-4).

Put simply, Rudolph and Thompson's categorisation consists of four types of demands. First, 'policy concessions' aimed at granting minorities with specific arrangements, in particular policy domains, which may include the use of a minority

language or economic concessions. Second, authority arrangements would imply some degree of administrative devolution to grant some powers to the local elites or also the incorporation of the minorities' elites in the central decision-making process. Third is what they called 'regime focus' demands or 'federalisation,' which leads to formal constitutional change and the creation of sub-state institutions by virtue of the decentralisation of certain powers and competences. Finally, the fourth type of demand would be independence for the stateless nation (Rudolph and Thompson 1989: 224-5).

Similarly, and with a more specific focus on SNRPs, Müller-Rommel depicted a four-point category that fits rather well with the one established by Rudolph and Thompson. Parties could be classified according to the level of 'nationalism' of their demands in a progressive scale. Thus, 'protectionist' parties would seek to guarantee and maintain the group's distinctive character. Second, 'autonomists' would demand more powers to do so. Third, 'left-libertarian federalists' would demand deep constitutional change and a considerable decentralisation of powers to the sub-state governments. Finally, 'separatist' parties demand independence (Müller-Rommel 1994: 186-7).

These two typologies fit well with each other and were useful to distinguish the scope of constitutional change and the type of party pursuing it. Another typology that simplified demands was depicted by Sorens (2008: 328), consisting of three categories: '*independentists*, who explicitly [favour] full political independence as their near-term aim; *radical-autonomists*, who [favour] a right to independence, independence as a long-term aim, or far-reaching autonomy amounting to de facto independence; and *regionalists*, who reject independence explicitly but [favour] some kind of special regional rights, whether some kind of regional autonomy within the state, guaranteed regional representation in the central government, greater resources and development for the region, or protection of unique rights for regional citizens.' These typologies, with their small differences, all emphasise the progressive character of territorial demands, with a clear progression in three steps with regards to constitutional change: first, demands that did not imply constitutional change; second, demands that pushed for decentralisation and the transfer of legislative authority to newly-created institutions in stateless nations; and last, but certainly not least, demands for independence.

This type of categorisation proved useful to analyse the rise of peripheral demands in the 1960s and 1970s, when multinational Western European states were unitary. Several political parties in different cases espoused territorial demands that ranged along the progressive spectrum described above, although the constitutional evolution of many states, and certainly of the three states studied in this work, Belgium, Spain, and the UK, suggests that the bulk of the demands –or at least the successful ones, given the concessions by central governments– would consist of demands for decentralisation of legislative authority. In subsequent waves of territorial demands, though, these typologies have become rather obsolete. Indeed, the demand for independence is still present, remarkably in contexts where identity plays a substantial role in the territorial debate (Bunce 2004: 422), and it makes sense to maintain a category of independence as a territorial demand. However, there is the question of how to treat other demands short of independence, which are also existent in the contexts under study. Still, a conceptual definition between independence and demands for further devolution should be maintained, since independence ‘involves the full separation of the region from the rest of the country, and its establishment as an independent sovereign state with full powers over its internal and external affairs,’ which therefore ‘is a much clearer option than devolution, which may cover a variety of different institutional forms with varying degrees of dependence’ (Hepburn 2010: 44-5). Current demands for further devolution however cannot be equated to demands for federalisation as described in the typologies mentioned above, since legislative authority was transferred long ago.

To this aim, other typologies have a functional approach which may be better suited to analyse the existing territorial demands in stateless nations. Benz and Colino (2011: 390) establish four domains of constitutional change, including 1) ‘authority or competencies;’ 2) ‘fiscal relations and fiscal autonomy: Rules that allocate fiscal resources between levels, producing redistribution and solidarity or maintaining the differences or existing imbalances;’ 3) ‘representation and participation in central decisions;’ and 4) ‘symbolic or community recognition: Rules that recognize certain principles or values or distinguish symbolically certain constituent units.’ A functional typology corresponds to the self-determination principle claimed by stateless nations for autonomy to manage their own affairs, since ‘demands [...] can take cultural,

economic, or political forms’ while achieving one unique goal, to ‘legitimate difference and to expand autonomy’ (Bunce 2004: 421).

2.3. Explanations of Stateless Nationalism

There are several explanatory elements to account for the rise of stateless nationalism. This phenomenon is deeply grounded on the idea of distinctiveness. A self-conscious minority, concentrated in a specific territory of the state may have objective differences vis-à-vis the majority regarding economic, social, and cultural features, but the relevant point is the self-perception that these differences are real and should be treated accordingly (Amoretti 2004: 2). Cultural differences are often portrayed as the main relevant marker to set communities aside, specifically the use of a different language (Rokkan and Urwin 1983: 68). Language is thought to be essential to give cohesion to the political community, ‘the linguistic community comes to perform the role of the default *demos*’ (Erk 2008: 7).

However, language may not be enough to delimitate the boundaries of a political community, as the case of Scotland clearly shows. In this sense, culture, and therefore cultural differences, should be interpreted in a far broader sense than just linguistic differences (Seiler 1982: 17), including for instance distinct value-preferences, which have justified demands for autonomy in the past (Keating and McEwen 2005: 415). All these elements of cultural distinctiveness are also influenced and reinforced by history, since the ‘national character reflects a community’s historical experience over a long period: habitation of a common territory tends to produce shared historical experience and other components of a common culture, which are reinforced by a common language, which in turn [...] shapes the national character’ (Coakley 1992: 5). The existence of a separate institutional past also contributes to shaping this national character because of the influences that institutions have on society (Rokkan and Urwin 1983: 68).

The existence of cultural differences and a separate national self-consciousness have also brought attempts to counter the state’s cultural homogenising tendencies. The modern state and its ‘rulers generally worked to increase the cultural significance of borders by trying, with different degrees of success, to impose common languages,

religions, and identities on their subjects,' a process which 'aimed at transforming the *state* into a *nation-state*' (Amoretti 2004: 4). This historical process of state nation-building has continued until today in Western liberal democracies. In this regard, 'statist liberalisms have promoted a series of collective particularist values and identities of a natural nature, to the detriment of the national values and identities of other minority collectives. In the name of an alleged universalism based on the individual, the collective values of minority groups are sacrificed in favour of the values, also collective, of majority groups. In reality, all democracies have defended state nationalism' (Requejo 1999: 264). The aim of the state is therefore to 'reconstruct national identity so as to portray it as an overarching identity which can accommodate and thereby control the claims of ethnic segments' (D. Brown 1997: 263), which implies that when the state is not entirely successful in doing so, the potential for identity and territorial conflict exists. Homogenising policies and their implications for minorities in terms of culture and identity can therefore create a 'sense of grievance' (Horowitz 1981: 168), real or not, which can and is used by the minorities to justify territorial demands, including independence (Erk and Anderson 2009: 196).

Rokkan and Urwin, however, perceived that cultural differences on their own could not justify regionalism and, 'seeking to place ethnic variations in a general framework of geopolitical location, economic strength, and access to decision-making' (1982: 2), developed what has been labelled as a centre-periphery theory. This approach analyses the 'tension between centre and periphery in terms of an imbalance due to a differential location of economic, cultural and political power' (L. Hooghe 1992: 25). Considered as a 'useful analytical tool' (Keating 1988: 8), the centre-periphery model analyses the interactions between each of the three levels, the military-administrative or political, the economic, and the cultural in order to explain the causes of peripheral nationalist mobilisation on a case-by-case basis, depending on the specific geopolitical, economic and cultural contexts (Rokkan and Urwin 1983: 16).

The triad of political, economic, and cultural factors serves as the basis of analysis to understand the reasons why stateless nationalist movements gained importance and strength in the 1960s and 1970s. A great deal of attention has been focused on providing economic explanations. Territorial tensions arise when political and economic leadership within the state are not congruent (Gourevitch 1979: 306),

although this scenario was considered as a ‘rarity’ since it was assumed that centralisation implied both political and economic leadership concentrated in the state’s centre (Seiler 1982: 19). Territorial tensions where the centre was strong both politically and economically were said to be defined by peripheries having more secessionist tendencies, feeling mistreated by an economically developed centre (Horowitz 1981: 174), or even ‘exploited’ by the centre in what was labelled as ‘internal colonialism’ (Hechter 1975). However, this theory was discredited since that was not necessarily the case, with economically rich peripheries putting forward demands for constitutional change and independence (Keating 1988: 11-2). Economic disparities are indeed important, with rich regions wanting to contribute less and poorer regions aiming at protectionist policies and more central government expenditure (Hepburn 2009: 484), and stateless nationalist mobilisation, measured in terms of the electoral support for SNRPs, tends to be larger in comparatively rich regions (De Winter 1998a: 217). The importance of the economy, that is, stateless nations having a stronger economy than the state’s average, was hinted at by a large-N study carried out by Fitjar. He offered that ‘a highly distinctive regional party system and a high level of economic development are the two factors most likely to lead to regionalism, along with cultural and geographical variables such as having a regional language or not bordering the national capital’ (Fitjar 2010: 12).

The economy is thus important but alongside other factors. Cultural distinctiveness seems to be a necessary precondition to stateless nationalist mobilisation, whereas economic conditions are of secondary importance. Culture, then, is of crucial importance to explain nationalist mobilisation, while ‘no territorial identity on the continent can be defined solely in terms of a distinctive economy’ (Rokkan and Urwin 1983: 66). The importance of culture seems to go in line with Fitjar’s study that alongside the relative economic development, a different party system was the main explanatory variable of regionalist mobilisation. Different regional party systems are caused by the presence of SNRPs, which based its existence on the self-determination principle of the stateless nations and emerged precisely on cultural grounds to defend the perceived distinct interests of their home communities, following incongruences between the political and economic territorial leaderships in the state (Müller-Rommel 1998: 21).

The rise of stateless nationalism was therefore the product of incongruences between political, economic, and cultural leaderships and centres of power within Western states. The economy and the existence of regional economic grievances against the centre was important but required of ‘ethnic preconditions’ (Máiz 2003: 196), which regional elites were able to exploit and led to mobilisation. Political parties, especially SNRPs, were the spearheads of nationalist movements and put forward demands for constitutional change. Although centre-periphery theories were accurate in explaining the outburst of regional mobilisation, they were not that helpful in predicting ‘the electoral strength of these parties in contemporary European systems’ (Müller-Rommel 1994: 189).

2.4. The Articulation of Demands through Political Parties

Stateless nationalist parties’ primary aim was ‘their demand for political reorganisation of the existing national power structure, for some kind of “self-government”’ (De Winter 1998a: 204). Once this is granted, their primary objectives switch somehow to ‘fight for more regional autonomy’ (Fabre and Martínez-Herrera 2009: 234). This aim goes in line with that of national movements more generally, which leads these parties to attempt ‘to secure self-determination for the national community they claim to defend’ (Elias and Tronconi 2011: 506), although as we have seen this ultimate aim encompasses several constitutional scenarios, from strong regional autonomy to outright independence.

SNRPs become expressions of nationalist movements when the latter territorial demands cannot be articulated through the established SWPs (Seiler 1982: 24). Their regionalised character also makes it complicated for SNRPs to achieve power at the centre, so another incentive to further devolution is at the core of stateless nationalists own interests: more devolved powers will imply a better chance to exercise these powers at the sub-state level (Fitjar 2010: 26). As a result, SNRPs’ main electoral ‘goal is to maximize support in the territory they claim to represent’ (Amoretti 2004: 7-8).

These parties have, as we have seen, different territorial goals that they try to achieve through pursuing different strategies. At the time when SNRPs demanded political decentralisation, and given their characteristics as minority parties in the central

political debate, many of these parties tried to exert pressure on the traditional parties to force decentralisation by often recurring to ‘tribune strategies’ (De Winter 1998a: 211; De Winter 1998b: 40). This strategy of external pressure has traditionally proven more effective than becoming involved in central governments to promote constitutional change (Elias and Tronconi 2011: 519). The strategy pursued by SNRPs to pressure SWPs to commit to decentralisation was swiftly replaced by trying to achieve office at the sub-state level as the primary objective (Jeffery and Hough 2003: 207). Put simply, for SNRPs, ‘regional elections are the first order elections’ (Gómez-Reino Cachafeiro, De Winter, and Lynch 2006: 256). Achieving power at the sub-state level is also crucial to legitimise SNRPs’ further territorial aims, whether deeper constitutional change or independence. In this sense, ‘only a strong base at home influences state governments’ (Nagel 2004: 73) and, given that stateless nationalists are often ‘seen to better defend regional interests at the national level’ (Brancati 2008: 139), being in government at the sub-state level can be a very strong platform to legitimise their territorial demands. SNRPs tend to do better in regional than state-wide elections (McGarry and O’Leary 2009: 6), which contributes to their objective of achieving power at the sub-state level, while a good regional election result is used as an endorsement of the voters to the party’s views on the constitution. Several SNRPs have been relatively successful in electoral terms and have gained office at the sub-state level (Hepburn 2009: 478).

Notwithstanding their successful breakthrough in the party system, SNRPs also face several challenges. First, and most important, is the trade-off between the nature of their territorial demands and their electoral support, that is, the more substantial their demands are –e.g. deep constitutional change or independence; it is less likely that they will have wide support from the electorate (Keating 1988: 21; Rokkan and Urwin 1983: 142). Therefore, these parties normally tend to moderate their territorial demands –e.g. autonomy rather than independence– in order to appeal to a larger number of voters, while sacrificing their ‘nationalist’ nature for a sort of ‘catchmore’ strategy (Rudolph and Thompson 1985: 296). However, moderating their demands can lead to a confrontation between those who pursue the final territorial goal directly and those who support a more pragmatic strategy of gradual and progressive constitutional change (Rokkan and Urwin 1983: 143). This intra-party struggle between ‘moderate’

and ‘radical’ factions can potentially lead the party to split (Rudolph and Thompson 1985: 302). Moderating demands can also undermine the party’s electoral support, especially if other parties demand more substantive changes that may appeal to those voters that support deeper constitutional change.

Second, SNRPs also face other challenges, such as competing with other parties on other cleavages –e.g. class, religion; the difficulties in appealing to identity in societies where dual identities prevail; and arguing against the benefits of union and the costs of regional autonomy and independence. As Rudolph and Thompson put it (1989: 226), ‘no region wants independence at the price of becoming the Western world’s most economically backward area.’ All these challenges need to be considered, of course, but many, if not most, SNRPs have been able to articulate their particular territorial character with other cleavages to be competitive in party politics and they normally have clearly defined and strong-based positions on the socioeconomic cleavage (Hepburn 2009: 478-9).

Notwithstanding the relevance of SNRPs within stateless nationalist movements, party competition in stateless nations also involves parties that compete throughout the state’s territory and that may have different, or rather opposing views, on the national character of the sub-state community than those promoted by the SNRPs. Be that as it may, stateless nationalists ‘have a programme that questions the status of their region in the national state, and regional sections of statewide parties need to deal with these demands’ (Deschouwer 2009d: 32). Therefore, SWPs may opt to counter their stateless nationalist opponents with demands of their own, or may decide to downplay the territorial question in the political debate.

The strategy pursued by SWPs will most surely reflect how salient the territorial question is in the sub-state political debate and how popular territorial demands are amongst the population. In this sense, ‘a state-wide party that dismisses the territorial issues raised by its autonomist [or secessionist] competitors when this is something that is important to voters is likely to be punished due to the perception that it is out of touch with political reality’ (Elias 2011: 8). In such cases, SWPs may have to introduce some internal flexibility to adapt to the specific conditions of the stateless nation’s political debate. State-wide Party leaderships have therefore ‘a strong incentive to

enhance the regional elites' powers in order to contest the electoral threat. Likely ways of doing this include allowing regional party organizations to adopt differentiated party programmes, discourses and campaigning strategies in an attempt to develop an ethnoregionalist "face", and possibly also greater autonomy in candidate selection' (Hopkin 2003: 232).

Internal flexibility in SWPs goes not without risks, though. Whereas a successful strategy at the sub-state level may depend on the party giving different messages at the regional level from those of the state-wide level (Erk and Swenden 2010b: 12), it is also likely that this divergence on the party's message results in a lack of internal cohesion (Detterbeck and Hepburn 2010: 108). Party competition at the sub-state level in stateless nations may put SWPs in a highly uncomfortable position, while different messages given at different audiences may result in a lack of credibility since these parties 'do not want to contradict themselves' (Libbrecht, Maddens, and Swenden 2013: 15), and the ultimate strategy pursued by the party will respond to a cost-benefit analysis of the potential votes won or lost depending on the territorial positioning of the party (Sorens 2009: 257). As a result of this competitive interaction between SNRPs and SWPs, the latter's regional elites may well end up supporting some form of political autonomy for the stateless nation (Fabre 2008: 311). As a result of decentralisation, then, SNRPs 'are no longer the sole actors seeking to represent territorial interests' (Hepburn 2010: 6). The repositioning of SWPs on the territorial dimension often forces SNRPs to further radicalise their territorial ambitions to recover the 'ownership of this issue dimension' (Alonso 2012: 246), which undoubtedly contributes to a competitive dynamic of enhanced territorial demands.

There are several ways in which stateless nationalists can mobilise to publicise their territorial demands. Regarding the party system, mobilisation can be pursued by 'functioning within the existing [state-wide] parties as a nationalist faction; forming separate cross-class (catch-all) nationalist parties centred on the defence of the homeland's interests [...]; and avoiding political competition altogether by adopting a cultural stance' (Máiz 2003: 206). Participation through the party system is a crucial way to influence the internal distribution of power within a state, since political parties run for office and attain representation and power in political institutions, which are the entities responsible for constitutional change. Thus, party competition responds to

territorial demands. If constitutional change is not delivered by the established SWPs, demands will be likely put forward through SNRPs, which may well increase their vote share at the expense of the traditional parties (Müller-Rommel 1994: 194). The latter may answer by promoting some constitutional change to cut down the electoral appeal of the nationalists in due course.

Political parties also provide for a representative dimension of the popular preferences in a democratic society. Stateless nations, like the states they are members of, are not homogeneous entities. As any other society, stateless nations 'contain, when examined more closely, fractures and factions that can significantly undermine their effectiveness in the political process' (Rudolph 2006: 13), which means, to put it simply, that not all inhabitants of the stateless nations either think of it as a nation or want (more) self-government. Political parties provide a reliable idea of the society's preferences. It has been argued that this works particularly when measuring support for independence in stateless nations by suggesting that 'voting for a secessionist party is the major method of expressing support for the goal of secession or wide-ranging autonomy' (Sorens 2004: 734). Thus, political parties in stateless nations, with their own views on the constitutional debate, might provide an approximate picture of the popular preferences on constitutional change.

3. State Responses to Territorial Demands: Accommodation and Territorial Management

The rise of stateless nationalism put under pressure the internal unitary structures of European states, with central governments facing the challenge to provide a response to nationalist movements' demands. These included, as we have seen, direct claims to a reshuffle of the state's territorial organisation, while in some cases the popular dissatisfaction with the state was expressed by the electoral breakthrough of secessionist parties. States in general and central governments in particular face the challenge to accommodate the concerns from the periphery by taking certain actions in order to mollify the discontent and cut down separatist aspirations. Accommodation, therefore, 'refers to the capacity of states to contain conflict with the mechanisms and

procedures embedded in existing institutional arrangements’ and it has three dimensions: 1) ‘minimizing violence and extrainstitutional mobilization;’ 2) ‘minimizing alienation or hostility toward the state itself and, relatedly, separatist party support;’ and 3) ‘respect for minority civil and political rights’ (Amoretti 2004: 2). States may undertake institutional reform in order to better adapt its institutional structure to its internal socio-political composition. Institutional reform often involved political decentralisation in order to provide stateless nations with a certain degree of self-government so these groups could manage, to some extent, what they considered to be their own affairs.

The renegotiation of the state internal structure to provide an effective response to the specific concerns of stateless national groups in the periphery is part of a broader strategy of ‘territorial management,’ which refers to ‘the efforts of central elites to cope with the territorial dimension of policy problems and to contain territorially-based challenges to the central power structure’ (Keating 1988: 18). The challenges of the periphery took the form of different territorial demands –administrative powers, federalisation, secession, etc.– and were voiced by nationalist movements using different social and political channels, one of the most relevant being through SNRPs, which received considerable electoral support. The different scope of territorial demands was met by central governments with a considerable wide range of responses.

3.1. Aims and Types of Territorial Accommodation Strategies

Territorial tensions raise indeed the potential for violent conflict, and political violence related to ethno-national movements is not rare to Western liberal democracies, as the cases of Northern Ireland and the Basque Country have demonstrated. However, under the assumption that states do have a strong preference to minimise violence in their territory, it is unlikely that central governments in democratic countries will meet peaceful territorial demands by violent repression. It has been argued that ‘the efforts to repress ethnonational demands have not been particularly successful, and more often than not they have themselves contributed to an escalation of political violence’ (Rudolph and Thompson 1985: 296). Certainly, even an authoritarian dictatorship, like Franco’s Spain, was useless in eradicating national mobilisation, and the birth of

Euskadi Ta Askatasuna (ETA) in the Basque Country during the dictatorship confirms that state violence could indeed be met by ethnic violence. As a result, the more open and democratic the system is, the more incentives will national movements have to channel their demands and grievances through the legitimate institutional system (Rudolph and Thompson 1989: 224), of which one of the most effective ways is indeed through political parties contesting elections.

Nationalist movements' demands also respond to a willingness of minimising violence and containing inter-territorial conflict by ensuring 'that each national group within the state feels that it has sufficient autonomy to guarantee its integrity and survival' and 'to ensure that there will be sufficient accommodation between them that unrestrained conflict is avoided' (Simeon and Conway 2001: 339). Thus, once the 'peaceful coexistence' seems to be an agreed aim both for the minorities and the centre in multinational liberal democracies, when dealing with peripheral demands central governments have two main objectives. First, states face territorial demands posed by strong civic nationalist movements and/or electorally successful SNRPs. It will therefore be their primary concern to halt and reduce the centrifugal force of centre-periphery tensions by trying to diminish the influence –and electoral strength– of this kind of parties. Second, states will try to do so without making any concessions to the nationalist movements. The latter objective might be rather difficult to accomplish when the national movement is particularly strong or when SNRPs can have a strong influence to disturb state-wide politics, so states will then turn to territorial management to accommodate peripheral demands in order to fulfil their primary objective, namely to appease stateless nationalist discontent (Rudolph and Thompson 1989: 233).

In order to appease such discontent and contain popular support for nationalist movements, '[s]tates pursue territorial management strategies through party-political incorporation; centre-periphery intermediation through political and bureaucratic channels including clientelistic networks; policy concessions, notably but not exclusively in economic policy; and institutional decentralization' (Keating 2008b: 66). This wide scope of accommodation strategies can be divided between what Rudolph and Thompson describe as output-type and authority-type concessions. The former include regional elite incorporation into central decision-making and policy

concessions; the latter involve deep constitutional change, most notably territorial decentralisation and the creation of regional governments. Therefore, these two types of central government accommodation strategies differ markedly and there is a clear preference by the state political actors to attempt output concessions first, rather than kick-start processes of deep constitutional change. This is so, according to Rudolph and Thompson, because

'[o]utput concessions can be handled by the existing decision-making and administrative structure; [whereas] authority-type concessions imply the admittance of ethnoterritorial spokesmen into the decision-making process; regime changes and referendums pertaining to bring the ethnoterritorial communities themselves into the decision-making process, either in the referendum discussion or following regionalization or federalization of power in the state. [...] [The latter] are also usually undertaken only after an ever greater share of the ethnoterritorial community has become mobilized by an ethnoterritorial movement' (Rudolph and Thompson 1985: 297).

The decision to undertake constitutional change thus depends on the strength of the nationalist movement. Output concessions, such as economic subsidisation of the sub-state regions and the incorporation of regional elites' grievances in the central decision-making process, often through the established SWPs, may be successful to contain territorial discontent to some extent (Bermeo 2002: 103). However, when peripheral demands include constitutional change and this is broadly backed by SNRPs it seems there is little option available to central governments than to consider some degree of territorial decentralisation.

The strength of stateless nationalist movements in several European states led to constitutional change towards a decentralised territorial organisation of the state structure. There was, as a result, a shift in central governments' accommodation from unitary strategies of accommodation to federalising ones. Constitutional change consequently transformed unitary state structures, either in the form of 'unitary states' or 'union states' to certain forms of 'federalism.' Amongst the former, unitary states attempted territorial accommodation through assimilation whereas union states represented a less integrated form of unitary accommodation, which granted stateless nations certain pre-union rights and the maintenance of some of the local institutions (Rokkan and Urwin 1982: 6-11). Federalisation as an accommodation strategy resulted

in constitutional change and the formal decentralisation of power to the aforementioned stateless nations. This process of federalisation took place in Spain, Belgium, and the UK and is therefore necessary to analyse its characteristics and the particularities of such strategy in order to accommodate multinational realities.

There are several definitions of federalism in the literature, although a common principle of federalism is that power is divided on a territorial basis with two levels of government, one regional and one ruling over the whole territory of the state, with powers allocated to each level. From the sub-state perspective, territorial entities have a certain degree of 'self-rule,' but also exercise some kind of 'shared-rule' at the centre alongside the other regional entities and the state-wide or federal government (Elazar 1994). Federalism also requires that the sub-state units and their powers and institutions be recognised and protected by a written constitution, thus making constitutional entrenchment a key element of federalism (Burgess 1993: 5). When this protection is not asserted on a written constitution but still sub-state institutions are put in place, it is more appropriate to describe this type of territorial organisation as regionalism or devolution (Coakley 2003a: 298). This sort of federal-like territorial arrangements have led academics to describe federalism as a tool 'to unite people who seek the advantages of membership of a common political unit, but differ markedly in descent, language and culture' (Forsyth 1989: 4), with multinational federalism attempting to provide a successful accommodation of stateless nationalist movements' concerns by granting them 'self-rule' in the areas most important to them while satisfying the state's main aim of guaranteeing its territorial integrity.

Federal arrangements in multinational states institutionalise stateless nations as political communities, granting them political institutions and democratic legitimacy through the direct election of regional assemblies or parliaments. The institutionalisation of sub-state national communities through federalism 'allows us to account for more than one demos' (Burgess and Gagnon 2010: 16) in multinational states, which should accordingly be regarded as 'one polity, several *demos*' (Requejo 2005: 11). A plural conception of the state seems normatively a valid way to accommodate individuals with plural identities, namely that of the state as a whole and that of the stateless nation, since 'federalism, more than unitarism or secession, is the best way of implementing fair terms of recognition for individuals' national identities'

because federalism is ‘better able to accommodate identities than mononational (seceded) states because members may be members of both the federal and the sub-state nation simultaneously; and [...] federalism is a fair way to adjudicate between conflicting identities among the citizens that make up the component nations’ (De Schutter 2011: 168).

In spite of this strong claim of federalism as a useful strategy to accommodate multinational realities, the institutionalisation of the sub-state community does lead in fact to several tensions. The co-existence of two tiers of *demos* generates a dissention on which one is the primary community, the state claiming its role as the sovereign entity while stateless nationalists tend to devise the sub-state community as the main locus of allegiance, which leads to ‘political battles over “who gets to decide”’ (Erk 2008: 10).

These tensions are intrinsic in federal-like arrangements and may curtail the potential normative benefits of federalism as a successful accommodation technique. Federalism does indeed allow the constituent parts of the state to maintain their own institutions and pursue different policies that may better suit their own interests, but this is not necessarily enough in multinational states where territorial and cultural differentiation play a role because federalism is a uniform system in principle (Keating 2001a: 51). In order to better contain stateless nations’ specificities, then, political decentralisation may be implemented alongside other elements which may account for the particular character –identity, culture, religion, etc.– of the stateless nation. This element of distinctiveness, as we have seen, usually conforms the core of the territorial demands posed by stateless nationalist movements and protection of such distinctiveness is a top priority for these movements.

The notion of federal asymmetry ‘refers to the degree of heterogeneity that exists in the relations between each member state [or region] and the federation, and between the member states themselves’ (Requejo 1999: 270). In other words, a certain degree of asymmetry might be an interesting accommodation strategy for the state, since ‘peripheral dissent may be undermined by the concession of some kind of special status’ (Coakley 2003a: 302). Asymmetric arrangements are designed to provide stateless nations differentiated policy competences, institutional status or treatment

than those received by the other groups of the state and are aimed at better responding to the specific characteristics of the sub-state community (Pinder 2007: 10). The establishment of asymmetries alongside federal-like arrangements entails the recognition by the state of the stateless nations' specificities and may potentially lead to a formal recognition of the existence of a plurality of *demoi* within the state. On the other hand, where asymmetries are denied by central governments as an accommodation strategy it is highly likely that the plurality of *demoi* within the state and its multinational character will also be denied (Requejo 1999: 271).

It is often complicated for central governments to use asymmetries as an accommodation strategy to acknowledge stateless nations' distinctiveness. There is a strong possibility that 'asymmetry that grants minority homelands greater powers of self-government creates resentment within the numerically larger core nationality' (Roeder 2009: 216). Asymmetry can indeed raise severe objections amongst those from outwith stateless nations, since 'detractors of asymmetrical federalism of the view that it leads to unbalanced and unfair practices, and that it inevitably creates second-class status for citizens who do not see themselves as being part of a given political community' (Gagnon 2001: 328). Asymmetry is as a result a controversial tool of territorial management and often a trade-off needs to be reached between the peripheral demands for recognition of distinctiveness and the protests of the non-ethnic regions which do not wish to be treated as second-order regions. Central governments will accordingly prefer symmetric decentralisation because otherwise 'regions left out of the process protest, and the central government does not wish to appear to reward secessionism or to be responding too obviously to the pressures of secessionist movements' (Sorens 2004: 740-1).

The suitability of asymmetric arrangements ultimately relies on the majority's understanding of the socio-political composition of the nation. Where the majority nation, and accordingly the central government, indeed sees the state as a composition of several *demoi*, then asymmetrical arrangements are likely to take place (Stepan, Linz, and Yadav 2011: 203). On the other hand, when the majority nation and the dominant political actors at the centre are reluctant to recognise the distinctive status claimed by the stateless nationalists, then asymmetrical arrangements will be highly unlikely.

As discussed above, though, the state response to territorial demands will depend on the strength of the stateless nationalist movement. Some central governments might rule out granting a special status to stateless nations on the basis of intra-state equality and to avoid resentment from other regions, but asymmetry 'might come to be regarded as the only acceptable alternative for some nations without a state if they are to be discouraged from seeking independence' (Guibernau 1999: 49). Thus, when facing strongest separatist claims, the granting of asymmetry may come to a last-resort, or a lesser evil, in order to avoid the secession of a stateless nation. This is a well-known trade-off for central governments in Western European states, which 'were obliged to recognize territorial peculiarities and engaged in elaborate policies of territorial management [...] to preserve their territorial integrity' (Keating 1998b: 195). In the end, the type of asymmetry granted depends on how strong the claim for secession is, since states will not relinquish more powers than necessary or undermine their mono-national status if not to appease a serious danger of secession.

Secession is generally unacceptable to states, mainly because it involves, among several causes, the loss of territory, population and economic resources (Hale 2004: 172). Central governments reject secession because 'losing a part of their state's territory would reduce the power and prestige of the state in the international arena, and may threaten its economic stability and development' and also 'the idea of secession often represents a blow to an identity widely shared by the population outside the community represented by a nationalist government' (McEwen and Lecours 2008: 221). On the basis that secession is the least desired outcome for states, territorial accommodation strategies will be pursued in order to contain the secessionist threat, including constitutional change leading to wide-range federalism and asymmetry, but territorial management will always respond to the principle of granting the minimum of concessions possible (Rudolph and Thompson 1989: 227).

3.2. The Role of Parties in Territorial Management

Political parties have been one of the main vehicles of nationalist movements in order to make territorial claims and put forward demands for constitutional change. This applies in particular to political parties in stateless nations and primarily, although by

any means exclusively, SNRPs are the most vociferous political actors in supporting changes to the territorial status quo. Such changes forcefully require the acceptance and involvement of central state institutions, which lead political parties represented at the centre to devise and implement decentralisation processes. Thus, according to De Winter (1998a: 211), ‘only legislative bodies at the national level are competent’ for a territorial reorganisation of power, which drives SNRPs ‘to focus on increasing their political weight at the level of the national parliament.’ The presence of strong SNRPs in the state-wide political arena will have an impact on the saliency of the territorial issue and SWPs will have to deal with territorial pressures by providing their own views on the state’s territorial structure in order to counterbalance the demands for constitutional change raised in stateless nations (Alonso, Cabeza, and Gómez 2015). Electoral competition between political parties is therefore a determinant factor to account for the dynamics of demands and responses that lead to constitutional change in multinational states, because SWPs are ‘faced with electoral threats that can undermine their political base,’ especially in stateless nations, and therefore these parties ‘respond with strategies of accommodation that involve output policies, regional institutions and support for constitutional change’ (Gómez-Reino Cachafeiro, De Winter, and Lynch 2006: 266).

The saliency of territorial issues in stateless nations as a result of a broad support for further constitutional powers will inevitably force SWPs to confront the issue to effectively compete with SNRPs. In order to do so, SWPs ‘must compete in aggregating, articulating and pursuing territorial interests in order to prevent minority nationalist parties from ‘owing’ this issue dimension and, most importantly, to provide constitutional alternatives to secession’ (Hepburn 2008: 538). SWPs are often, if not always, representatives of the majority nation and will defend the wide interests of the state in a holistic manner, which leads them to reject secession on principle on the grounds of national unity and social cohesion. The potential danger of secession will lead political parties at the centre to devise accommodation strategies to make secession less appealing to the citizens of the stateless nation, which include constitutional change among others.

Political decentralisation is triggered by the SNRPs’ desire for constitutional change and a potential threat of secession, but they should not be the sole actors accounted for

decentralisation processes in Western European countries (Brancati 2008: 140). State-wide Parties, which control the state institutions, are the main responsible political actors for delivering constitutional change and to mastermind the nature and scope of the territorial management strategies implemented. This has been the case in the three cases under study in this thesis, with the Labour Party delivering devolution in the UK, the Belgian traditional parties designing the progressive federalisation of Belgium, while a broad cross-party consensus brought forward a regionalising constitution during Spain's transition to democracy.

After decentralisation is carried out and sub-state political institutions are in place, so is party competition at the sub-state level. In this sense, political parties in stateless nations, and rather specifically those who are in power in that level, perform a double role, being 'at the same time the regional governing party, linked to the regional electorate, and the party that can speak for the region in the horizontal and vertical intergovernmental relationships' (Deschouwer 2003: 221). This double role can apply both to SNRPs and SWPs in stateless nations, which results in party competition between parties as to which is the better suited to better represent the territory's specific interests. These sort of interests are set to play a dominant role in the political debate in stateless nations, and accordingly SNRPs are traditionally the self-declared champions of the stateless national community.

Party competition may nevertheless lead SWP branches to present themselves as a better option to satisfy regional concerns through the links with the parties ruling at the centre, which ultimately hold the key to deliver constitutional change. However, SWPs that champion the stateless nationalist cause or 'play the regional card too emphatically run the danger of eroding their appeal in other parts of the state and underlining their state-wide credentials' (Jeffery 2009a: 646). Evidence suggests that when mainstream parties try to own the issue of niche parties, such as SNRPs, it may have a negative effect on their statewide electoral results (Meguid 2005: 358). This situation may result in intra party conflict between the central party leadership and the sub-state party branch which has important implications. First because it is an element ripe for party competition and other parties, especially SNRPs, will try to exploit internal struggles and incoherencies to their advantage (van Biezen and Hopkin 2006: 15). Second, because internal party debate on territorial issues may lead SWPs to (re-

)consider the party's stance on the territorial organisation of the state, which may have an impact on constitutional change if the SWP is in a position to promote it at the central level.

In spite of internal differences, SWPs may decide to promote constitutional change in order to gain support in a stateless nation, and consequently undermine electoral support for SNRPs. Proposals for constitutional change will aim at damaging the electoral prospects of nationalist parties, especially of those parties promoting secession, by taking away voters that might flirt with the idea of independence with a promise of further sub-state empowerment. In sum, SWPs may accommodate some of the views of SNRPs to become better engaged in the sub-state political debate and electorally damage their nationalist competitors (Newman 1997: 56).

Political parties play thus a crucial role in devising which accommodation strategies are better suited to counter stateless nationalist challenges. Specifically, SWPs, which tend to cope the representative institutions at the centre, will have their own views and preferences on constitutional change. Such views will be intensively linked to the electoral threat posed by SNRPs and SWPs' proposals for constitutional change will respond to a potential secessionist threat from the periphery, thus reinforcing the dynamics of challenges and responses embedded in political party competition.

4. Political Party Competition as a Driver of the Dynamics of Constitutional Change

4.1. The Persistency of Territorial Demands

The rise of stateless nationalism in Western Europe was met by central governments through territorial management strategies, which often resulted in political decentralisation for stateless nations so they could have certain powers and decision-making capacity on several policy areas. These decentralisation process have been often considered to be irreversible (Coakley 2003a: 313; Meadwell 2009: 226; O'Neill 2003: 1076), meaning that once political autonomy has been granted to stateless nations it is very difficult to take it away. In fact, according to a large-N study that analyses political decentralisation and regional authority since World War II, 'there

has been a marked increase in the level of regional authority over the past half-century. Not every country has become regionalized, but where we see reform over time, it is in the direction of greater, not less, regional authority' (Marks, Hooghe, and Schakel 2008: 167). This study suggests, then, that not only territorial decentralisation has an irreversible character, but also that there is some progressive character about it –i.e. decentralisation seems to increase over time.

The existence of demands for further decentralisation and deeper constitutional change are most salient in stateless nations, which may lead to question whether federal-like accommodation strategies implemented by central governments had been successful at all. However, measuring the success of decentralisation is highly complicated, since different views may affect such a judgement. Majorities and minorities may have different views on how satisfying territorial accommodation has been, with majorities claiming it has avoided secession while minorities claiming it has not provided them with enough powers; or conversely, majorities can evaluate it negatively by highlighting the loss of authority of the centre and the subsequent push from enlarged powers by some in the stateless nation, whereas the latter may have a positive view on the powers allocated at the sub-state level (Simeon and Conway 2001: 341).

The ambiguity on the successfulness of territorial accommodation paves the way for further demands (Rudolph and Thompson 1989: 239), since the territorial settlement might well be the agreed outcome of diverging views, with stateless nationalists demanding more than what they got and states giving away more than what they had desired. Party political and electoral logics also play a decisive role with central governments aiming to resolve specific problems without taking into account that inadequate or temporary solutions might leave problems unresolved so they come back in the future. Territorial management strategies, then, 'tend to focus on the short-term problem of finding a compromise to satisfy the demands of the parties to a conflict, but give less consideration to 'the days after' the new institutional arrangement is in place. This may be a smart approach for politicians seeking to muddle through a crisis and pass the problem on to their successors, but may leave the successors with a still worse problem' (Roeder 2009: 208). Institutional design may open the door to further territorial demands, but it is up to political parties to take advantage of any institutional shortcomings to put forward demands for more regional powers.

4.2. Institutional Factors Contributing to Territorial Demands

Political decentralisation aimed at appeasing stateless nationalists' territorial concerns does create and ensure a new political space for party competition. A new sub-state institutional setting may have a highly relevant impact in stateless nations where identity and territorial politics play a predominant role in the political debate. Decentralisation in these cases provides for the 'maintenance and significance of political, cultural, and economic institutions' (L. M. Anderson 2010: 138), which may encourage demands for secession. Sub-state institutions in multinational polities decisively affect politics in the stateless nation, by providing 'the minority with political and bureaucratic resources that it can use to launch a bid for independence. Giving a minority its own unit makes it possible for it to hold referendums on secession [...]. Multinational federations implicitly suggest the principle that the accommodated minorities represent 'peoples' who might then be entitled to rights of self-determination under international law' (McGarry and O'Leary 2007: 192). Sub-state institutions also offer stateless nationalists the possibility of influencing public policy by entering sub-state governments, which may lead to processes of nation- and sub-state identity-building that may result in a reinforcement of the citizens' sub-state identity and allegedly a desire for further autonomy or broader support for the stateless nation's independence (Martínez-Herrera 2010: 141-3; Meadwell 2009: 230-1).

The institutionalisation of sub-state politics through territorial decentralisation may also lead to further demands short of secession. Decentralisation also creates new patterns of territorial relationships between sub-state and central institutions and between sub-state institutions across the state. This introduces a potentiality for conflict and claims from sub-state elites to (re-)negotiate the terms of such relationships. Furthermore, the same elites at the head of political parties compete for power at the sub-state level which may provide incentives to demand greater authority for that level (Lecours 2004: 86). At the sub-state level, then, political elites have more powers to shape the political agenda in order to give more saliency to centre-periphery and territorial conflicts (Roeder 2009: 209).

The institutionalisation of territorial politics through political decentralisation is thus aimed at making 'full independence less appealing to minority nationalist voters, [but] it also provides nationalist parties the institutional tools with which to hold a referendum on independence and can strengthen voters' confidence that collective self-government can work' (Sorens 2009: 255), which has been described as a sort of a paradox. The institutional setting provides the opportunity for stateless nationalists to promote independence, which generates a dynamic for progressive territorial demands, in which 'demands for increased powers can lead to further calls for autonomy, the only logic stopping place for which is secession' (Simeon and Conway 2001: 364). This scenario, often referred to as a 'slippery slope' to secession (McCrone 2003; Requejo 1999), does not however have, as yet, any empirical backing, with the case of the secession of Ireland from the UK being a counterexample as it occurred 'because of thwarted-autonomy, not because it had autonomy' (McGarry and O'Leary 2009: 10). In this sense, alongside the institutional setting that certainly aids the promotion of independence by stateless nationalists, it should also be emphasised that a push for independence may come as a response from the nationalists to the state's rejection to negotiate further autonomy.

Continuous territorial demands may be perceived by the state as a 'slippery slope' towards independence and one option available is to shut the door to further constitutional change and reject any demands posed by stateless nationalist political actors. This strategy, as we have seen, is not uncommon since states undertake constitutional change as a last resort. However, rejecting demands for more autonomy can have a negative effect for the state, with demands becoming more assertive through a substantial boost for the pro-independence movement. This may include an increase in public support for independence, separatist parties doing well in elections or former autonomist parties switching its territorial aim to independence. A rejectionist strategy based on the 'intransigence' of central governments to peripheral demands 'can turn a moderate movement in a more radical direction' (Bermeo 2004: 463).

Nationalist movements, therefore, may turn to a more pro-independence stance if the stateless nations' autonomy is or is perceived to be 'thwarted by majority nations' centralism' (Maclure 2003: 48). A rejectionist strategy by central governments may also include symbolic elements such as the lack of national recognition of the stateless

nation or perceived grievances against the community's distinctive elements. The recognition of such specificities is deemed necessary because 'to accommodate politically minority nations is not only a question of decentralization, but also of political recognition of their national status' (Requejo 2010a: 289); which implies that 'if the distinctiveness of a national minority cannot be accommodated within the state, secession may be seen as a necessary route to the continued survival of the nation' (McEwen and Lecours 2008: 223). Finally, the state may be open to negotiate territorial demands, but broken promises or insufficient proposals might spark the discontent of stateless nationalist actors, which may turn towards secession instead. As Sorens (2004: 741) puts it, 'offers of autonomy are risky for the central government. Sometimes such offers can defuse secessionism; at other times, they may inflame it, if they are viewed as insultingly cautious. Moreover, once proposed, such offers become the baseline for expectations, and if they are subsequently withdrawn or defeated, a public outcry is predictable.'

There is a further institutional element that contributes to territorial disputes and, in the context of decentralised states, affects the distribution of powers across different territorial levels of government. The creation of the European Economic Community (EEC) and its evolution towards the European Union (EU) created a new arena for territorial allocation of power which had consequences as well on the member states' internal organisation of power since 'the traditional enemy of peripheral nationalism, the nation-state, changed its nature with European integration' (De Winter and Gómez-Reino Cachafeiro 2002: 488). The transfers of powers to the supra-national European level opened up the possibility for a reform of the functional allocation of powers within member states. The definition and evolution of European integration was also perceived by stateless nationalists as an opportunity to carry out a sort of 'pincer strategy to undermine and reform central state structures' (De Winter, Gómez-Reino Cachafeiro, and Lynch 2006: 20). The Maastricht Treaty was perceived by many stateless nationalist actors as a hopeful institutional setting to enhance the role of regions in EU policy-making, especially with the establishment of a Committee of the Regions, albeit with limited powers.

However, the so-called 'Europe of the Regions' never materialised and the Committee of the Regions have proved largely ineffective to represent stateless nations' interests

in Europe (L. Hooghe and Marks 1996). Stateless nations have ‘no specified place’ (Keating 1999: 83), whereas other nations constituted as member states with less population or smaller economies are accepted as full members of the EU, which some suggest is a sort of a contradiction (Gómez-Reino Cachafeiro, De Winter, and Lynch 2006: 261). The lack of institutional accommodation at the European level for stateless nations adds up to the constitutional demands posed on states to renegotiate internal institutional arrangements, including further autonomy, symbolic recognition, and territorially-based shared-sovereignty. The European institutional framework may be regarded as stimulating demands for secession, since ‘the European project provides ideological sustenance to the post-sovereignty project, the EU does not provide an institutional space for anything other than states’ (Keating 2008a: 632). As a result, some stateless nationalist reached the conclusion that the only way to have an impact on EU governance is to become a state and join the EU on the same equal status as the other members.

Political decentralisation has created an appropriate institutional setting to promote further demands, while the state’s unwillingness to (re-)negotiate such an institutional setting might pave the way to an increase in secession support. In this sense, ‘[b]oth a rejection of ethnoterritorial demands and concessions to them can, under the proper circumstances, become rallying points for ethnoregional sentiment’ (Rudolph and Thompson 1985: 306). However, the institutional setting on its own cannot provide a comprehensive explanation of the dynamics of territorial demands. In this sense, the role of political parties is crucial because they are the political actors that take advantage of the institutional setting to put forward territorial demands from the periphery, and to respond to such demands from the centre.

4.3. Party Competition as the Main Driver of Territorial Demands

Political parties acted as the vehicles of nationalist movements to put forward demands for decentralisation in several Western European multinational states. The breakthrough of SNRPs put pressure on the other parties with government responsibilities at the centre to devolve power to newly created sub-state institutions, with the primary aim of cutting short secessionist tendencies in peripheral territories

with strong distinctive national identities. The establishment of sub-state political arenas resulted in parties competing for votes and office at the sub-state level in addition to the state central level. As a result of decentralisation, party competition in stateless nations has institutionalised the territorial cleavage in sub-state politics, with parties often challenging each other on the constitutional status of the stateless nation and putting forward demands for enlarging the sub-state institutions' authority.

Meadwell (2009: 233) identifies three different types of strategic actions that parties take in the sub-state arena which lead to the reinforcement of the territorial cleavage and make the discussion on the regions' self-government a very salient one. First, stateless nationalists may use the threat of secession to get concessions from the centre. Second, other stateless nationalists that actually favour secession will be more than happy to accept concessions made by the centre while they keep promoting independence, i.e. separatist parties will complain that concessions are not enough but will accept them nevertheless, since the more powers the sub-state institutions have, the more autonomous the stateless nation is. Finally, SWPs will favour and eventually concede concessions in order to appease popular demands for self-government, which will most certainly improve their electoral chances against SNRPs.

The interaction of these three strategies perfectly summarises the effects of party competition in establishing a progressive dynamic of demand-response-demand that will make territorial disputes an every-day topic in the stateless nation's political debate. The saliency of the territorial or centre-periphery cleavage in stateless nations 'emerged the process of nation-state building [which] clashed uneasily with the particularism of individual territories and peoples, producing alternative, sub-state forms of political mobilisation' (Hough and Jeffery 2006: 5). The window for potential alternative mobilisation on territorial grounds led to the breakthrough of SNRPs and the persistence of territory as probably the main cleavage in party politics, even more important than class in stateless nations (Hepburn 2009: 481; Keating 2001c: 44). The importance of territory in these contexts has two main consequences on party competition, which takes place in 'a *distinct party system* from that of its state-level counterpart [...] and within which *at least one* secessionist party is present' (Requejo 2010a: 277, original italics). The distinctiveness of the party system forces SWPs to adapt to the specificities of the sub-state political arena while the presence of a pro-

independence party polarises the political debate and sets the scenario for non-secessionist parties to counterbalance the prospect of independence with demands for more autonomy, short of secession.

A crucial element to determine how assertive demands will be in the political debate will depend on the electoral strength and governmental influence of SNRPs with further territorial ambitions. As Hepburn puts it (2008: 551), '[t]he strength of a nationalist or autonomy-seeking party within a given region also necessitates the development of alternative constitutional demands by their political opponents. Contrarily, if there is no strong nationalist party in the territory, the territorial dimension of party competition is determined elsewhere [...] and the territorial project may be submerged under other socio-economic issues.' Indeed, the less influent separatist parties or parties demanding substantial constitutional change are, the less SWPs 'will emphasize the regionalist issue' (Libbrecht, Maddens, and Swenden 2013: 11). Conversely, if SNRPs are an electoral threat to SWPs, the latter will engage in the political debate, which 'will normally increase the saliency of the regionalist issue in the election' (Maddens and Libbrecht 2009: 208).

Political parties are crucial in their role of representative institutions of the population's preferences, which unavoidably include the voters' views on the constitution. Besides, 'political parties are one of the very important political actors that produce linkages between the political institutions' (Deschouwer 2003: 220), which in matters of constitutional change translates into the position of parties as the actors being in control of both central and sub-state governments, the ultimate decision-makers on constitutional change. The role of governments and political institutions is thus very relevant in explaining the dynamics of constitutional change, but institutionalist explanations, as summarised above, do not adequately 'consider the ways in which party competition can be an important cause of decentralizing reforms' (Hopkin 2009: 182). Political parties are indeed the primary actors in triggering the dynamics of territorial demands as 'the spokesmen for the ethnoterritorial communities, with the [central] government initially being respondent to their demands' (Rudolph 2006: 15). Furthermore, the parties' role of spokesmen of the stateless nation is endorsed by their electoral strength and political influence in party

politics, which indicates approximately the population share of support for certain constitutional options (Sorens 2008: 330).

Party competition on the territorial cleavage is also affected by government-opposition dynamics, with parties in opposition more willing to put forward territorial demands to put pressure on the government parties at the sub-state level to highlight their lack of success in delivering constitutional change. Competition between SWPs and SNRPs has been widely discussed, but the saliency of territory in the political debate will be further enhanced when more than one SNRP is present in the party system (Massetti 2009: 515). Some SNRPs that favour autonomy rather than independence, might try to establish themselves as the ‘governing party *par excellence* of the autonomous region, maintaining support by serving as the guarantee of the autonomy conquered, of good regional governance, by producing centrist pragmatic policies, as well as using party patronage over public resources and serve individual and group clienteles’ (Gómez-Reino Cachafeiro, De Winter, and Lynch 2006: 258).

However, if a more radical SNRP in opposition were to be electorally successful, this would put the autonomist party under pressure to push for some constitutional change, in a type of competition akin to that between SNRPs and SWPs. The intertwined competition between different SNRPs and SWPs therefore results in an increase of the saliency of the territorial issue and parties often turn to the ‘nationalist card’ to win over voters. This, in turn, may result in a constant redefinition of political parties’ constitutional horizons, which will depend on whether their demands are met by central governments and whether their territorial views –or those of their political opponents– are endorsed by voters.

Territorial mobilisation on grounds of ‘[e]thnicity and nationalism frequently run in cycles’ (Newman 1994: 53). The rise of sub-state nationalism of the 1970s in several Western European states led, in some cases, to decentralisation processes and federal-like systems of territorial management. Writing a few years after that first wave of territorial mobilisation, Rudolph and Thompson argued that ‘institutionalization has tended to neutralize ethnoregional parties as effective agents for articulating demands on behalf of ethnoterritorial communities, even where strong ethnoterritorial sentiment may still be present. System participation may lead to the fragmentation of

ethnoregional parties and their disintegration as effective organizations' (Rudolph and Thompson 1985: 306). The deepening of European integration in the early 1990s prompted a reinvigoration of territorial claims, since stateless nationalists perceived European integration as a potential weakening factor of the traditional nation-state, some new opportunities were introduced for sub-state entities to be represented at the European level, and debates were held on the changing nature of sovereignty and statehood in Europe (Elias 2008: 558). European integration therefore provided a scope for the renegotiation of multinational unions (Keating 2001c: 46-7), whereas the thriving push of European economic integration and globalisation more generally 'increases the efficiency of independence and thus makes the exit threats of peripheral regions more credible' (Sorens 2004: 730). This window of opportunity at 'the European level constituted a new focus of demands for autonomy during the initial period of deepening integration. Nationalist parties in all regions moderated their constitutional goals in the face of new possibilities for autonomy in Europe, whilst regional branches of state-wide parties adopted stronger territorial demands;' although stateless nationalists' hopes soon fade down and 'from 1995 to 2005, parties began to question whether their territorial strategies could be met in Europe' (Hepburn 2008: 545, 548).

The two waves of peripheral mobilisation in the 1970s and 1990s pointed out the growth of SNRPs across Europe (De Winter, Gómez-Reino Cachafeiro, and Lynch 2006: 14). Each wave also prompted a wave of social and political research (Sorens 2008: 354), mainly around the causes and explanations of the growth of stateless nationalist parties and movements and around the institutional characteristics and effects of decentralisation. Arguably, the last decade has produced a new wave of territorial mobilisation, with secessionist parties not only being influential but also achieving office at the sub-state level in Catalonia, Scotland, and Flanders, and promoting independence for their territories. The public saliency of identity and self-government issues in these three cases has prompted political parties to develop detailed territorial proposals to better satisfy the public's ambitions of territorial self-government. Competing proposals have become a determinant element of party competition, alongside the use of territory to discredit the performance of parties in government, which has led to a dynamic of territorial proposals and counterproposals

that have contributed to an aggregate escalation of territorial demands. Party competition at the level of the stateless nations has also increased the relevance of territory in state-wide politics, with SWPs becoming quite involved in the territorial disputes.

The empirical chapters will provide a rather comprehensive analysis on how party competition has triggered these dynamics of demand-response-demand, up to the point where deep constitutional change and secession is ranking atop the political debate in Catalonia, Flanders, and Scotland.

Chapter 3. Research Question, Methodology, and Research Methods

1. Research Question

Despite the decentralisation processes in Belgium, Spain, and the UK to accommodate the sub-state claims for self-government, territorial demands have persisted. In regards to party politics, the constitutional status of Catalonia, Flanders, and Scotland is contested by significant political parties at the sub-state level, and the issue of 'territory' usually acquires more saliency in regional political debates than the traditional socio-economic cleavage (Keating 2001c: 44; Hepburn 2009: 481). The saliency of the territorial cleavage in sub-state party politics has been enhanced by the advantageous conditions that decentralisation provides to stateless nationalist parties: it enables them to strengthen their position in the political system, increasing their visibility and therefore the territorial demands of the party. There is some support for this view from several scholars who claim that decentralisation –or federalism, as a particular case of decentralisation– in multinational states clearly favours those political actors –especially political parties– that seek to secede from the state (Alonso 2012; Brancati 2006: 656; Falletti 2005: 331; Martínez-Herrera 2010: 155; Roeder 2009: 204; Simeon and Conway 2001: 364). Others are more moderate in their conclusions and only suggest that decentralisation through political autonomy does not moderate the strength of secession claims (L. Hooghe 1992: 39; Lustick, Miodownik, and Eidelson 2004). Finally, a third group of political scientists contend that federal structures are effective both as a mechanism to avoid secession and to accommodate a plurality of nations within the same state. Federalism is thus considered a useful tool to moderate secession (Erk and Swenden 2010b: 11; Rudolph and Thompson 1985: 306; Sorens 2004: 730; Watts 2007: 229). This debate in the literature discusses a puzzle that has been labelled as the 'paradox of federalism' (L. M. Anderson 2010), namely whether federalism –or more generally federal-type territorial agreements– induce or prevent secession.

This is a broad political problem which goes beyond federal systems. The UK cannot be regarded in any way as a federal country (McCrone 2003), and still the territorial question is paramount despite devolution. Thus, the attempt to accommodate peripheral nationalism via political decentralisation, regardless of the specificities of the territorial organisation of the state, generates a particular sub-state politics that stateless nationalist parties in particular will be able to exploit. The nature and scope of decentralisation arrangements may therefore be questioned by political actors at the sub-state level –and also at the centre– and demands for change may appear. Such demands have appeared, in different scopes and intensity, in several Western liberal democracies, including Catalonia, Scotland, Flanders, the Basque Country, and Quebec.

In light of this, the research question at the heart of this thesis is ‘*What are the dynamics that lead political parties in decentralised stateless nations to raise further territorial demands?*’ The saliency of the territorial cleavage in stateless nations is a by-product of the relative importance –in terms of electoral share of the vote and electoral presence– of SNRPs in the sub-state political system (Hepburn 2009). This kind of parties tend to question the territorial status quo and their main *raison d’être* is to empower the sub-state institutions of their home territory (De Winter 1998a). The effect SNRPs have on the party system includes responses to their political proposals by other parties, either SWPs or other SNRPs in the stateless nation’s territory. The presence of significant SNRPs therefore introduces a ‘contagion effect’ that affects the party system as a whole (Hepburn 2014). Such interactions lead to fierce party competition around territory, involving proposals and counterproposals for constitutional change.

The primary hypothesis of this research is that competition between parties produces a dynamic process of evolving demands that generates on aggregate an increase in support for territorial change across political parties, although of course some parties will aim at deeper changes than others, while other parties may be fervent defenders of the territorial status quo. Party competition is therefore worth analysing as an explanatory factor of the instability of territorial arrangements in cases like Catalonia, Scotland, and Flanders. In short, then, this thesis seeks to examine whether party

competition drives territorial demands and to provide an explanation of the nature of dynamics that lead to further territorial demands to be espoused by one –or more– political parties in stateless nations.

Arguably, political party competition does not operate on its own and other factors may influence the observed outcome of persistent demands for constitutional change in some stateless nations. To take the complexity of such a problem into account, this study will also consider the intervening effect of central governments and SWPs as the decisive actors that provide responses to territorial demands from the periphery and have the last word on constitutional change. The strategies of territorial accommodation that central political actors use will likely have an impact on the outcome of territorial demands, as political parties in the stateless nation may respond in turn to the central government's actions by praising or condemning the latter's territorial policy to challenge their political opponents on the constitutional issue. The second hypothesis is thus the intervening effect that central governmental action produces on the political parties' territorial objective and discourse. Lastly, the dynamics of competition between political parties are also affected by popular views on self-government and the constitutional status of the stateless nations, since political parties –especially those aiming for a 'catch-all' strategy– will bear in mind the constitutional preferences of the population when putting forward territorial claims. The effect of public views on territorial issues is the third hypothesis.

This research question is timely and important in understanding the role of party competition in constitutional change in light of several recent debates on independence in West European multinational states. Federalism scholars often rely solely on institutional aspects to explain the effect of political decentralisation on enhanced territorial demands and particularly on whether federalism is a useful tool to avoid secession. However, the complexity of the political problem is rarely unpacked and the specific role of political parties is not analysed in depth (for some exceptions, see Alonso 2012; Hepburn 2010; Massetti 2009; Toubreau 2011; Toubreau and Massetti 2013). Conversely, scholars on party competition in multi-level contexts often analyse in more detail the nature of competition between SNRPs and SWPs. Their conclusions however tend to focus on the intra-party effects of such competition rather than

focusing on the overall effects of competition between parties on constitutional change.

This thesis aims to shed light on the relationship between party competition and demands for constitutional change by analysing a highly relevant case study in depth. The dynamics of party competition in Catalonia provide a successful explanation to the escalation of territorial demands occurred in the last decade, and the validity of the explanation will be complemented by looking at the effect of party competition on the ongoing processes of constitutional change affecting Scotland in the UK and Flanders in Belgium.

2. Methodology

2.1. The Dependent Variable: Territorial Demands

The dependent variable in this study is ‘territorial demands.’ Several typologies exist in the literature classifying peripheral nationalist movements’ demands related to different spheres: economic, cultural, and political, as explained in the previous chapter. Territorial demands may range from a scope of individual rights –e.g. cultural demands such as allowing individuals to communicate with the government in a minority language– to concessions that are essentially collective in nature, namely political demands for autonomous institutions to represent and articulate the interests of the peripheral national community.

I define territorial demands as *any claim raised by a political party for territorial rights or empowerment in the cultural, fiscal, symbolic or governmental domains*. This definition is broad enough to include demands for constitutional change towards increasing the powers of sub-state self-governing institutions; but it also includes demands in the other domains that might not necessarily imply a formal change of the constitution. These may include fiscal or economic claims such as a demand for a rearrangement of fiscal resources or a decrease in the amount of interregional solidarity funds; cultural demands like the recognition of the use of a minority language in state-

wide institutions; or symbolic elements like the recognition of the national character of the stateless nation in a multinational state.

Demands can therefore be grouped in four ‘domains.’ First, *cultural* demands are particularly important, especially for actors in sub-state nations with a distinct (minority) language (Hepburn 2009: 483). Cultural demands, and particularly issues regarding language, are especially relevant in Flanders and Catalonia, where the Dutch and Catalan languages coexist with French –especially in and around Brussels– and Spanish, respectively.

Second, *fiscal* demands include demands for fiscal autonomy, that is, control of the sub-state budget, the creation and management of taxes, and tax-collecting (van Houten 2004: 4-5). According to Jeffery, ‘[f]inance is an easily politicized issue that has potent capacity to divide, to set the centre against the regions and the regions against each other’ (2003: 183). Precisely because of the delicacy of fiscal matters, solidarity transfers between regions produce conflicts, especially when stateless nations excessively contribute to the other regions’ economic development. Thus, demands for a fairer –and a more transparent– system of interregional solidarity will be also taken into account.

Third, *symbolic* demands include a formal recognition of the stateless nations as a special or differentiated ‘national community’ within the multinational state (Keating 2001b: 102). This claim to national recognition is usually accompanied by a demand for special status, which creates a certain degree of asymmetry within the institutional framework of the decentralised state (McGarry and O’Leary 2007: 191).

Last, but certainly not least, are *governmental* demands which imply transfers of authority from the central government to the sub-state institutions. Given that some sub-state governments already have substantial autonomy in many areas of public policy, parties that demand extended powers focus on constitutional change that would enable the sub-state government to take responsibility for increased competences, leaving only a handful of competences to the central government, such as defence, foreign affairs, and macro-economic policy. Inevitably, further powers for the sub-state parliaments and governments do include fiscal powers, which could be placed in

two of my categories. In any case, these kind of demands will focus on the political parties' aims at extending their 'internal' powers, which can be achieved by 'forms of autonomy within contemporary Europe that amount to something less than secession' (Hepburn 2009: 488). Yet, under the premises of extending –or maximising– internal powers, the option of secession or independence might also be considered as a governmental demand since it represents the most extreme form of constitutional change. The clearest effects of secession would undoubtedly be territorial, although it is true, as van Houten (2007: 548) suggests, that 'secessionist demands include by definition all [...] other forms of demands, as the creation of an independent state would imply the transfer of all competencies' to the new state.

The classification of territorial demands in these four domains allows the researcher to analytically separate different kinds of demands. However, as van Houten's example of the demand for secession shows, political parties can put forward territorial demands that include claims in more than one particular domain. Secession is a clear-cut example, but demands for further fiscal powers may be justified by the specific distinctiveness of the stateless nation, thus adding symbolic demands to those of a more fiscal and economic nature. Similarly, demands for further autonomous powers in education policy may be justified by strengthening the role of a minority language in the education system, which results in the amalgamation of cultural and governmental demands. Put simply, territorial demands may be accumulated.

Territorial demands have a complex nature as a result of the different domains embodied in them. As a result, it is rather difficult to measure demands in a quantitative manner. Certainly, some demands within a single domain are easily measured in a quantitative way. For instance, a demand to allocate the entirety of powers related to taxes to the sub-state level is more assertive than demanding the allocation to the sub-state institutions of a specific percentage of the revenues produced by the regional income tax. Similarly, a demand for independence is indeed more assertive than claims to transfer more fiscal powers. However, the quantitative measurement of territorial demands is not always that straightforward. It is certainly difficult to determine whether a demand for larger fiscal powers is more assertive than a symbolic recognition of the stateless nations' specific national character; or whether a demand

to grant state-wide official status to a minority language is more assertive than regionalising social security. As a result, territorial demands will be assessed in a qualitative manner, by identifying the particular demands of political parties and analysing them in relation to the four domains described above. This qualitative measurement of demands will also permit a greater detail of comparative analysis between the demands put by one political party and those put forward by its competitors, as well as establish links and contrasts between demands posed by different parties across different cases.

2.2. Independent Variables and Hypotheses

This thesis aims at providing a plausible explanation of the ongoing dynamics that lead political parties in decentralised stateless nations to put forward more ambitious territorial demands. There are three primary factors that may have an impact on the continuing high saliency of the territorial debate in multinational contexts. One such factor is the manner in which territorial demands are dealt with by central governments. When demands are quickly spurned, implacably rejected or even violently repressed, it is likely that this kind of central government behaviour may lead to a radicalisation of territorial demands from the periphery (Rudolph and Thompson 1985). On the other hand, positive responses to territorial demands may lead stateless nationalists to ask for more. This implies a complicated balance that central governments must deal with. The rejection of demands, broken promises, or conversely a *carte blanche* to the nationalists' aspirations can all impact the evolution of further territorial demands, and therefore central governments' territorial strategies are a very important factor in explaining the dynamics of territorial demands from the periphery.

Second, sub-state political parties are channels of representation of the sub-state population: 'They are an instrument, or an agency, for *representing* the people by *expressing* their demands' (Sartori 1976: 27, original italics). In stateless nations, a substantial part of the population do have a sort of differentiated national identity (Guibernau 1999). Furthermore, the territorial cleavage in such contexts tends to be rather important and voters tend to have positive views on self-government, and

support for independence may not be irrelevant. In such contexts, political parties will have to adapt their message in order to maximise their electoral appeal by emphasising issues related to sub-state national identity and regional self-government. Due to the representative nature of political parties, if a substantive change on the constitutional preferences of the population occurs, it may motivate an adaptation of the parties' message(s), especially of those vote-maximising parties that aim to be the best representatives of the interests of a majority of the population.

Notwithstanding the important effect of these two factors in explaining the dynamics of territorial demands, the argument of this thesis highlights a third factor –party competition– as the main explanatory variable for this phenomenon. Political parties react to all the previous enumerated factors when designing the territorial and constitutional horizons for the stateless political community, and certainly contextual changes may lead political parties to adapt or revise their territorial strategy and goals. However, party objectives cannot be analysed independently of the actions and discourses of its political competitors. A political party comfortably in power at the sub-state level may not have incentives to vary its territorial discourse even if the central government shuts down the possibility of further devolution or there is a substantial, albeit limited, support for independence amongst the population. However, if a secessionist party capitalises on that and becomes a real challenger for power, the party in power may be forced to adapt to new circumstances and modify its political discourse by increasing its territorial ambitions. In this sense, party competition is identified as the main independent variable in this research, whereas central governments' territorial management strategies and public opinion will also be included in the analysis as intervening variables.

2.2.1. Party Competition as the Main Driver of Territorial Demands

Political decentralisation in multinational states creates a new arena for party competition, that of the sub-state level, in which political parties compete for votes, office, and influence in the sub-state institutions, most notably regional parliaments and governments. As a result of decentralisation, the meso-level of party politics constitutes its own sub-state party system, which may or may not be different from the

existing party system in the state-wide political arena. A party system is ‘the *system of interactions* resulting from inter-party competition. That is, the system in question bears on the relatedness of parties to each other, on how each party is a function [...] of the other parties and reacts, competitively or otherwise, to the other parties’ (Sartori 1976: 44, original italics). In stateless nations, an important element of interaction between political parties is the territorial cleavage, which is determinant in shaping the party system by territory and stateless nationalism being the main *raison d’être* for a specific type of political parties present in such contexts, the SNRPs.

However, SNRPs are not the only political parties present in stateless nations. SWPs operate and run for election throughout the territory of the state. Party systems in stateless nations thus contain both SNRPs and SWPs which compete for votes not only on the traditional left–right dimension but also on a territorial basis. On the latter dimension, parties state their views on the current territorial structure of the state and the constitutional status of the stateless nation. Because of this bi-dimensional cleavage structure, involving both socio-economic and territorial issues, sub-state party systems tend to be quasi-autonomous from state-wide party systems (De Winter 1998a: 243), with a different agenda, a different composition and different dynamics. All these treats influence the positioning of political parties in both the left–right and centre–periphery axes. As Thorlakson rightly states, ‘[p]arties are affected by their competitors as they shape party strategies and define themselves in response to opposition, including the number and ideological position of their political opponents’ (Thorlakson 2006: 39).

Party competition seems of vital importance to understand the positioning of each party in the territorial cleavage. The interactions between parties that define the nature of the party system respond, in particular, to the parties’ competing views on the constitution and the degree of self-government that the stateless nation should have. In this regard, two dimensions of party competition are relevant. On the one hand, the competition between SNRPs and SWPs, with the former championing the stateless nations’ interests and national character while the latter aim at satisfying those interests within the wider framework of a larger state. On the other hand, there may exist more than one SNRP in a given context. In such a case, party competition on the territorial

issue may be fierce as well between SNRPs, with these parties competing to claim the role as the best spokespeople for the stateless national community.

Although the party system is specific of each stateless nation, the political process in multi-level states is inevitably linked to state-wide politics. As a result, party competition occurs at two levels. At the sub-state level parties –both SNRPs and SWPs– compete for votes and office at that level. However, party competition in stateless nations also affects party politics at the state level. In this sense, SNRPs may put forward a claim to better represent the stateless nation's interests in the central state institutions, whereas SWPs may argue that the most useful tool to represent such territorial interest is precisely by empowering them, since SWPs are the better positioned actors to reach office at the central level. Therefore, party competition in stateless nations has a dual character: competition for office and to claim the representative role at the sub-state level, but also a multi-level element including competitive views on territorial representation at the centre and views of how the multi-national state should be organised territorially.

Party Competition

The presence of a SNRP in a stateless nation introduces a substantial variation to the territory's party system compared to the state-wide party system and it will arguably increase the saliency of the territorial question. Furthermore, the presence of more than one of this kind of parties might make territorial demands increase in the long-term (Massetti 2009: 515; van Houten 2007: 561). The reasoning underlying this assumption is that since SNRPs are competing against each other, they have to differentiate themselves from their nationalist competitors in several aspects, and provided that SNRPs consider territory and the stateless nations as their most characteristic features, it is arguable that such parties will try to distance themselves from their competitors by increasing its territorial demands.

In order for SNRPs to affect party competition, these parties must pose an electoral threat to the SWPs. Such a threat does not necessarily require that a SNRP be the first party in a given context. When such a SNRP has the potential to become a government

party –either on its own or by establishing a coalition with another party– it is more likely that its presence and the prospect of being in government affects party competition on the territorial question. When SWPs are threatened by SNRPs they will try to incorporate elements of the latter’s discourse, which include the adoption of a certain degree of defence of the stateless nation’s self-government (Detterbeck and Hepburn 2010; Swenden and Maddens 2009). As a result, the saliency of territory in the political debate will be consolidated and demands on aggregate will increase –i.e. the SNRPs demanding more autonomous powers with the SWPs countering this by demanding some powers as well as to limit the electoral appeal of the stateless nationalists.

Political decentralisation and the electoral success of SNRPs have allowed them to be in office at the sub-state level. Many SNRPs have participated in sub-state executives, either alone or in coalition with other parties (Hepburn 2009: 478). Being in office clearly strengthens the claims for constitutional change from political parties, since parties add to the legitimacy of ruling the sub-state institutions more visibility both internally –within the stateless nation– and externally –within the state as a whole. As van Houten (2007: 554) states, ‘demands made by governing politicians provide more challenging and consequential pressures for state restructuring than demands by oppositional politicians.’

Not only SNRPs in power give more visibility and strength to territorial demands. Parties in the opposition may try to challenge the party in power by stressing the territorial component of the political debate. This can be attempted by the opposition either as an attempt to outflank the territorial aims of the party/parties in government or to counterbalance the government’s support from the voters on territorial grounds. As we shall see in the empirical chapters, both SWPs and SNRPs can do that while in opposition to SNRPs.

Competition with SNRPs has important effects on the internal organisation and discourse coherence of SWPs, whose branches might see their autonomy curtailed especially when their state-wide partner holds office at the central level (Fabre and Méndez-Lago 2009: 117; Swenden and Maddens 2009: 22). The reasoning for this is that SWPs at the central level value congruence between the two tiers of government

and want to appear to the public across the state as a cohesive and internally strong party. However, this attitude might endanger the electoral chances of the SWP branch competing in a stateless nation with SNRPs (Hepburn 2009: 491). As a result, party politics at the state-wide level also matter when analysing the dynamics of territorial demands in specific stateless nations. A SWP regional branch might be eager to demand constitutional change when its central party is in the opposition but may have this strategy backfire if by the time the SWP has reached office at the central level is not able to deliver what was promised.

As a result of party competition –including the presence and influence that SNRPs have in the party system, the weakness of parties in opposition to SNRPs, and the effects of sub-state competition on the organisational structures of state-wide parties– Hypothesis 1 (H1) is presented:

H1. Strong SNRPs increase the saliency of the territorial issue, especially if they hold office. Especially if they are in opposition, SWPs will counter SNRPs proposals with their own to be more appealing to voters, which may require decentralising power to sub-state branches of the party, and as a consequence territorial demands will increase.

State Accommodation Strategies

An intervening factor in territorial party competition is the efforts made by the state to accommodate sub-state territorial demands.

An effective accommodation of national diversity within a state requires that almost all the citizens of the federation feel comfortable in terms of identity regardless of the national group they feel they belong to (Requejo 2004: 264). Although dichotomies between good/bad or successful/unsuccessful accommodation strategies of the plurinationality of the state are tricky, it seems reasonable to think that providing some sort of national recognition of the stateless nations would make the inhabitants ‘feel more comfortable’ in the wider polity (Watts 2007: 244-5). Moreno argues (2001a: 202) that federalism is a good strategy to achieve this aim because ‘regional devolution and federalization aim to articulate an institutional response to the stimuli of a plural

society comprising cultural/ethnic groups with differences of language, history or traditions.’ However, federalism may not be enough because it requires structures that are thought to be applied uniformly across the regions of the state (Keating 2001a: 51), and thus some form of asymmetric recognition seems to be necessary.

However, asymmetry might potentially lead to differences between citizens from the minorities and the majority, for example on the services they receive, such as education, subsidies, health care, etc. (Jeffery 2003: 188). These imbalances may encourage citizens from the majority nation to demand to be treated equally to the citizens of the minority, which in turn will stress their distinctiveness and will want a special treatment. This pattern generates a centrifugal dynamic between minority nations and –other regions of– the majority nation which compete for further regional powers and privileges (L. M. Anderson 2010: 135; Benz and Colino 2011: 395). In contexts where this centrifugal dynamic prevails, SWPs in government will try to avoid too many asymmetries within the system since that will threaten their electoral prospects in the majority nation, since they will be regarded as favouring a minority or bending the knee to the minority nationalists’ demands (Brancati 2006: 659). As a result, central governments in multinational states that apply a symmetrical logic of decentralisation and reject to recognise its internal national plurality will be setting the ground for nationalist movements, and specifically for parties in stateless nations to demand that their perceived national differences are recognised constitutionally.

Constitutional change necessarily involves negotiations between the government at the centre and the government(s) in the periphery. Negotiations may be more fluid or more problematic depending on the party –or parties– in government at the sub-state level and its territorial demands on the one hand; and the party –or parties– at the central level and its willingness to accommodate the territorial demands raised by the sub-state government. The characteristics of intergovernmental negotiations between governments might have an effect on how sub-state governments phrase their territorial demands. A clear example of the effect that bi-lateral negotiations between governments have in exacerbating further demands is the importance that central governments deliver what was promised –in terms of self-government capacities, symbolic recognition, etc.– to the sub-state governments. Not doing so will create

resentment amongst the political elite –and perhaps amongst the population as well– at the sub-state level and further territorial demands will be raised, both to claim what was not initially delivered and through an increased hostility towards the centre for unfulfilling its previously agreed commitments (Sorens 2004: 733, 741). Similarly, continuous rejection from the central government to negotiate the territorial demands raised by the peripheries might encourage the latter to modify their strategy to claim a right of self-determination and make more assertive territorial demands (Tully 2001: 31).

When relationships between government parties at both levels are tense and unproductive, parties in the stateless nation often use a strategy of ‘victimisation,’ which consists in criticising the central government and the parties that form it and portraying the stateless nation and its government as victims of the central government inconsideration (van Houten 2004: 19). This strategy may fuel the sense of territorial grievances and lead to fierce competition between the parties supporting the sub-state government and the central government party branch. Similarly, this sense of central government inconsideration towards peripheral demands may occur when a SWP is in power at the sub-state level. In this case, the other parties will be eager to portray the regional branch as mere ‘puppets’ of the SWP leadership and try to exploit the sub-state government lack of delivering constitutional change by presenting themselves as more useful political options to deliver territorial change. Hypothesis 2 (H2) relates to the effect of central government accommodation strategies on political parties’ territorial demands:

H2. When central government parties do not deliver constitutional change or respond to the stateless nations’ concerns for special (asymmetrical) treatment, SNRPs (although not just them) will present themselves and the stateless nation as victims of central government policy and demand further territorial change.

Public Attitudes on Constitutional Change

A second intervening factor under consideration is public attitudes on constitutional change. Public opinion matters to political party leaders (Fitjar 2010: 8), who, in order

to decide what they offer to the electorate on territorial issues, will take into account what the ‘median voter’ thinks about the constitutional question (Sorens 2004: 732). Conversely, it has been also acknowledged that political leaders can influence public opinion (Henderson 2010: 441; Martínez-Herrera 2010: 143, 146) through regionally-focused media or by implementing certain policies of nation-building. It is therefore reasonable to accept that the relationship works both ways (Keating, Loughlin, and Deschouwer 2003: 27; Türsan 1998: 6) and that politicians certainly will both try to ‘convince’ the electorate that their constitutional options are the better for the sub-state national community, but will also be ready to modify their territorial aims if they perceive that citizens want something different from what the parties are offering.

Political parties do take into account the constitutional preferences of the citizens and they tend to offer extended, even maximised, political autonomy rather than independence when the electorate is not overwhelmingly in favour of secession, thus acknowledging the territorial preferences of the medium voter (Keating 1988: 240; Sorens 2004: 730). Quantitative scholars have argued that the share of vote of SNRPs is a good indicator to measure the level of ‘regionalism,’ or ‘nationalism,’ or even ‘separatism’ of a given territory (Fitjar 2010: 26; Henderson 2010: 443).

National identity plays a determinant role in justifying territorial demands. In stateless nations, which are self-defined ‘nations’ by a wide range of the population and by many –if not all– political parties (Erk 2010: 426; Fitjar 2010: 4). The self-definition as a nation clearly implies that a certain degree of self-determination goes attached to it, meaning that the community can decide its own political future (Keating 2001b: 3). However, as Gourevitch (1979: 304) pointed out, ‘regions are not actors, their inhabitants are,’ and we need to look at people’s identities to have a clue about the characteristics of each nation’s self-consciousness and identity. Dual identities – people that identify both with the ‘stateless nation’ and the ‘state-nation’ – are present and significant in all three cases, and although high levels of dual identity in the population underpin radical constitutional change –i.e. secession– it does not make political accommodation automatic (McEwen and Lecours 2008: 224). Following from this, the higher sub-state national identity is in a stateless nation, it is more likely that popular demands for enhanced self-government or independence will be also high

(Moreno 2001a: 203). As a result, political parties might react by adapting their preferred constitutional horizon to the one preferred by a substantive share of the population, as the following hypothesis suggests:

H3. Broad support for further constitutional change and a strong sub-state national identity will encourage political parties to accommodate their demands to the main constitutional preference of the electorate and public opinion against secession can constrain them.

Table 1 summarises the three hypotheses of this research linked to each of the three variables presented in this section: party competition, state accommodation strategies, and public opinion.

Table 1. Explanatory and Intervening Variables

| Variable | Hypothesis | |
|----------------------------|---|-----------|
| Party Competition | SNRPs in office will make territorial demands more salient. SWPs will make counterproposals and decentralise party structures, especially if they are in opposition to the SNRP in power | H1 |
| State Accommodation | SNRPs will present themselves and the stateless nation as victims of SWPs' central territorial policy if state fails to accommodate territorial demands, especially if claims for special treatment (asymmetry) are not met. Rejection of change leads to emboldened territorial demands. | H2 |
| Public Opinion | Parties will adapt to public constitutional preferences and respond to mobilisation backing further demands | H3 |

3. Methodology: Case Study Analysis

The main aim of this research is to provide an explanation for the ongoing dynamics of territorial demands that lead political parties in stateless nations to ask for further

constitutional change, even though such territories already enjoy significant self-governing powers. One way to look at it is in what ways different factors interact in the context of a few specific cases to produce an outcome –e.g. claims for more political autonomy–, and thus the case study method is indeed very valuable to discover, identify or validate the causal mechanisms that produce the outcome that the researcher wants to study (Bennett and Elman 2006: 459; Gerring 2004: 348). Case study analysis is a common method in political science, and most particularly in the field of comparative politics (Peters 1998: 137), which consist of an in-depth analysis of a single unit or case ‘to elucidate features of a larger class of similar phenomena’ (Gerring 2004: 341). In this sense, it has been argued that doing qualitative research in a case that is ‘intensively examined’ (Lijphart 1971: 691) facilitates a causes-of-effects approach that might be satisfactory ‘in explaining the outcome of a particular case or a few cases’ (Bennett and Elman 2006: 458). A case is ‘an instance of a class of events,’ which ‘refers here to a phenomenon of scientific interest [...] with the aim of developing theory’ (George and Bennett 2005: 17-8). The type of event that this study focuses on is the persistence of territorial demands in stateless nations and in particular the role that political party competition plays in explaining the dynamics that lead to the persistence of territorial demands in decentralised stateless nations.

Case studies might provide a basis for generalisation to other similar cases if we choose the crucial cases (Gerring 2004: 341-2; Lijphart 1971: 692). Similarly, the comparative logic used to move across different contexts can provide the sufficient scope to generalise the explanation of the phenomena under study (Mason 2006: 17). It is even desirable to have generalisation –the extrapolation of the findings in the cases studied to a wider set of cases– as a goal, and therefore we should aim to select as many cases as possible (Peters 1998: 32). This is not always possible due to several restrictions – e.g. funding, time, data available– and thus we need to be really cautious about generalising from a small set of cases (Bennett and Elman 2006: 473). However, studying a small number of cases and aggregating their results to make a coherent theoretical argument could permit the accumulation of extensive case material into a theoretical structure (Peters 1998: 138). In the context of this research, this means that the analysis of territorial demands in certain cases that are specifically selected will not explain the nature of the demands in every other single case, but could potentially

explain certain aspects of the self-government claims and the importance of party competition as the main explanatory factor of this phenomenon. The analysis of the effect of party competition on territorial demands in a small number of cases is most appropriate, since '[c]ase studies examine the operation of causal mechanisms in individual cases in detail,' and therefore allow the researcher to 'look at a large number of intervening variables and inductively observe any unexpected aspects of the operation of a particular causal mechanism or help identify what conditions present in a case activate the causal mechanism' (George and Bennett 2005: 21).

In order to better comprehend the nature and dynamics that have boosted territorial demands it is worth considering more than one case. As Mason puts it, 'a qualitative comparative logic works by seeking to understand the distinctive dynamics, mechanics and particularity of each case' (2006: 16), and thus the comparative method is also helpful to analyse the nature of the existing demands in a stateless nation *vis-à-vis* other comparable cases. However, the number of decentralised multinational states is quite limited (Gagnon 2007; Keating 1988; Requejo 2003; Rokkan and Urwin 1983; Rudolph and Thompson 1989) and therefore only a few cases are available. When the number of cases is small, then the comparative method is appropriate (Lijphart 1971: 684-5). The use of comparative techniques will be helpful to understand the nature and persistence of parties' demands for more self-government with the aim to provide an explanation of why demands have not stopped after territorial decentralisation by carrying out an in-depth study of a small number of cases combined with explicit cross-unit analysis. In sum, I will be analysing a relatively small number of cases, which is not an uncommon procedure in political research, since 'the case study method can and should be closely connected to the comparative method' and 'case studies can even be considered implicit parts of the comparative method' (Lijphart 1971: 691). The main case study of this research is Catalonia, but the analysis of the role of party competition in boosting territorial demands will be complemented with cross-case comparisons with two similar contexts: Flanders and Scotland. The comparative dimension of the study will strengthen the analysis by testing our hypotheses in a small number of cases, which will make the results of the primary case-study more robust, 'since there is a growing consensus that the strongest means of drawing inferences from case studies is the use of a combination of within-case and cross-case

comparisons within a single study or research program’ (George and Bennett 2005: 18).

This research design presents three limitations. First, the number of selected cases for this type of qualitative analysis needs to be small and thus there is the issue of the small-N problem: too many variables and too few cases (Lijphart 1971: 685), which makes it almost impossible to control for all the intervening variables in the process. A cross-unit study implies extra difficulties and costs, such as money, time and learning new languages (Gerring 2004: 353) that need to be adapted to the scope of a doctoral research. This is why just three cases will be analysed. As Gerring puts it, there is a trade-off between *representativeness* –considering many cases– and *comparability* –having cases relatively homogeneous– that is intrinsic to the case study research design (Gerring 2004: 348), or to put it differently, there is a trade-off between knowing less about more and knowing more about less.

Secondly, I select my cases on the outcome of my dependent variable, that is, I only consider stateless nations where territorial demands have persisted. Case selection on the dependent variable has been criticised (Bennett and Elman 2006: 460), but ‘like most sins it is one that is practised frequently’ (Peters 1998: 31). However, ‘selecting on a positive value on the dependent variable may provide strong inferences on the validity of the theory’ (Bennett and Elman 2006: 462), which translated to my research topic would imply that if demands have not ceased in all three cases and if some common factors exist, these might be the possible explanations of why demands have not stopped. The purpose of this study though is not to determine when party competition boosts territorial demands and when it does not. The objective is to provide an explanation of the mechanisms and dynamics that lead political parties in some cases to put forward further territorial demands, which is grounded on the competitive relationship between parties in the territorial arena.

Thirdly, the three cases will have a different weight in the analysis. As stated above, the main case study of this research is Catalonia. This presents a clear limitation to the generalisability of the results. However, the inclusion of the Flemish and Scottish cases, even if in a secondary role, will help us understand the dynamics of territorial demands in such contexts by analysing the effects of the variables under study in each

case. Thus, the two complementary cases will help us to better understand how party competition plays a predominant role in explaining the ongoing territorial demands posed by political parties in Catalonia. As a result of this research design, the bulk of the analysis focus on the Catalan case whereas the two other cases will be dealt with jointly in Chapter 7, alongside cross comparisons with the evidence on the Catalan case provided in the previous chapters. Albeit this limitation hinders our ability to generalise from our results, both regarding to the whole universe of stateless nations and in particular to the Scottish and Flemish cases, the comparison will nevertheless become very useful to better understand the existent dynamics of territorial demands in Catalonia.

3.1. Case Studies: Catalonia, Flanders and Scotland

The main case study of this research is Catalonia. Political decentralisation following Spain's democratic transition was aimed at providing some degree of political autonomy to Catalonia –alongside other stateless nations within Spain– to accommodate the country's territorial and national diversity. The constitutional status quo was eventually questioned and a wide majority of the Catalan Parliament demanded a reform of the Statute of Autonomy, which has led to an escalation of territorial demands up to the call for a referendum on independence. The effect that party competition has had in launching the increasing dynamics of territorial demands in the Catalan case will be complemented by an analysis of two similar cases where territorial demands have also been enhanced in the last decade.

In Scotland, political decentralisation was marked by the re-establishment of the Scottish Parliament in 1999. The electoral victories of the SNP, though, have led to a revision of the constitutional settlement and eventually to a referendum on Scotland's independence held in September 2014. Similarly, SNRPs in Flanders have also recorded substantial gains in recent years and territorial disputes between French- and Dutch-speaking parties have produced two governmental deadlocks between 2007 and 2010. The horizon for a definite territorial settlement –ruling out independence– is not near in any of the three cases, and thus the analysis of these three specific cases seems

appropriate to better understand which are the dynamics that lead political parties to put forward further territorial claims.

3.1.1.Catalonia

Catalan nationalism grew during the second half of the 19th century consolidating Catalan identity around language, territory, and a history that included a long tradition of self-government until 1714, when the Catalan *Generalitat* was abolished by the Bourbon king Phillip V following the War of Spanish Succession. The Spanish, Castilian-centred nation-building process was never entirely completed and Catalan language and identity persisted, providing the cultural grounds for Catalan nationalism to flourish and turn political, with modest demands for autonomy already present at the turn of the 20th century. Catalan nationalism was also espoused by some political parties, most notably the *Lliga Regionalista*, or Regionalist League, that campaigned for Catalan autonomy within Spain. Self-government institutions were first granted after 1714 in the form of the short-lived *Mancomunitat de Catalunya* or Catalan Commonwealth, an amalgamation of Catalonia's four provinces with limited autonomous powers. The convulse history of democracy in Spain saw the *Mancomunitat* quickly abolished during the dictatorship of Miguel Primo de Rivera in the 1920s, but Catalan self-government was re-introduced following the proclamation of Spain's Second Republic in 1931, with a Catalan Statute of Autonomy passed in 1932 which led to the re-establishment of the Catalan *Generalitat*. Yet, Catalan self-government did not last long: Catalan autonomy was suspended and the President of the *Generalitat* imprisoned in 1934; and although self-government was restored in 1936, the breakout of the Spanish Civil War resulted in the victory of the Spanish Nationalists and a 39-year long dictatorship by General Franco, based on authoritarianism, Catholicism, and exacerbated Spanish nationalism. All sub-state institutions, most notably the Catalan *Generalitat*, were suppressed and all regional languages and symbols of sub-state identities were banned and heavily repressed.

Nevertheless, Franco's dictatorship did not crush Catalan identity and Catalan nationalism showed public strength during the transition to democracy following the dictator's death in 1975. Catalan nationalist parties run in the first democratic election

of 1977 and other state-wide parties in Catalonia, most notably the Catalan Socialists and the Catalan Communists, had significant intra-party autonomy and thoroughly campaigned for self-government. Spain's democratic constitution of 1978 recognised the right to autonomy of regions and nationalities, which paved the way to the approval of the Catalan Statute of Autonomy of 1979 and the new re-establishment of self-government with the Catalan *Generalitat*, including a regional executive and parliament with considerable powers.

The first Catalan election of 1980 resulted in the victory of *Convergència i Unió* (CiU), a moderate Catalan centre-right nationalist party that has won every single election –in votes– in Catalonia since then. CiU was in power at the sub-state level uninterruptedly until 2003. Another nationalist party, *Esquerra Republicana de Catalunya* (ERC), of a centre-left ideology, has been supporting Catalonia's independence since 1992, although its electoral gains were limited up until 2003 when they got an extra ten seats in Parliament and joined a centre-left tripartite coalition to oust CiU from power. The other two leftist parties in that coalition are formally state-wide parties but with a quite substantial autonomy from their state-wide sister parties. The Catalan Socialists (PSC) and *Iniciativa per Catalunya–Verds* (ICV) have been traditional proponents of federalism in Spain and supported increased powers for the Catalan institutions. A party system with two Catalan nationalist parties and two SWPs supporting enhanced autonomy for Catalonia led to a 2003 Catalan election which resolved mainly around the demand for a new Statute of Autonomy for Catalonia. A reform proposal, hotly debated but eventually agreed between these four parties, was voted in the Catalan Parliament in September 2005, receiving the combined support of around 90% of the representatives –the only party voting against the reform was the Catalan branch of the Spanish right-wing party, the *Partido Popular* (PP).

After a long process of negotiation in the Spanish parliament, the Catalans supported a Statute reform in a referendum held in 2006 that did not recognise the national character of Catalonia and came short on the self-government powers from what was agreed in the Catalan parliament (Requejo 2010b). The Spanish-wide PP challenged the new Statute to Spain's Constitutional Court on the grounds that the new self-government powers granted to Catalonia went beyond the limits of the Constitution.

The Court eventually ruled 14 articles as unconstitutional, which provoked a massive response in a demonstration led by the Catalan government and supported by the main *Catalanist* political parties on July 10th 2010 in Barcelona. The subsequent Catalan election in November 2010 saw a clear victory of CiU, which claimed during the campaign that the Catalan government would demand further fiscal autonomy as a first step of what Artur Mas, CiU's presidential candidate and current President of the Catalan executive, called the 'road to the right to decide' in a 'national transition.' After the demand for further fiscal powers was outwardly rejected by the central government, CiU called for a snap election in which the party put forward a more assertive –and challenging– territorial demand: the holding of a referendum on Catalonia's independence.

The events of the last decade in Catalonia are of a notorious political and academic interest. Public support for independence and the electoral strength of ERC were rather low in 2003, when even this pro-independence party was adamant to engage and support the new Statute of Autonomy for Catalonia. In 2014 three parties demanded a referendum on independence –CiU, ERC, and ICV; whereas the PSC had a somewhat ambivalent position, i.e. the party supported a constitutional referendum but not on independence. This substantial switch in the parties' constitutional aims is corresponded by a substantial increase in public support for independence, while the Spanish state institutions' dealing of the Catalan Statute reform most surely accounts for a great deal in the current episode of territorial tension. However, the Catalan case is most relevant to analyse the dynamics of party competition in generating aggregated demands for constitutional change. The substantial increase of territorial demands experienced in Catalonia mainly responds to the progressive increase of the territorial ambitions of CiU, with this party facing huge competition both by the PSC and ERC and having to respond to its ousting of office following the 2003 election. The analysis of how party competition dynamics have worked in Catalonia will shed light on the role that parties and elections have in driving demands for constitutional change.

3.1.2.Flanders and Scotland

When Belgium seceded from the Netherlands in 1830 the established border responded to religious issues –Belgium was largely a Catholic country while the Netherlands were mainly Protestant; whereas the language border between French- and Dutch-speakers was placed further south, effectively dividing Belgium in half. However, language was not only territorially divided in Belgium but also in terms of class, with French being the language of the elites and Dutch being the language of the populace in the north of the country. Flemish identity and nationalism grew around Flemish language and the ‘Flemish Movement’ campaigned in the turn of the century for a fairer recognition of Dutch language in the Belgian state. However, until the Second World War religion, not territory, was the most salient cleavage in Belgium (Witte, Craeybeckx, and Meynen 2009), and the country was largely ruled in a consociational manner with elite-driven pacts between the three socio-political pillars, spearheaded by the three traditional parties: the Christian-Democrats, the Socialists, and the Liberals (Lijphart 1981). After the war, however, the settling of the Royal question took a territorial dimension with the king’s return being supported in Flanders but largely opposed in Wallonia; and the resolution of the secular cleavage with the School Pact of 1958 led to an increased prominence of the territorial question. The *Volksunie* (VU), or People’s Union, was a small nationalist party that started receiving electoral support through the 1960s. The escalation of territorial tensions between French- and Dutch-speakers led eventually to the split of the three Belgian traditional parties. This split gave free hands to the Flemish wings of the traditional parties to challenge the VU’s demands for federalisation by demanding constitutional reform on their own.

As a result of the effective split of Belgium’s party system, the country has transformed from a unitary state to a formal federation (L. Hooghe 2004: 55) where the Flemish and the Walloons have their own regions and linguistic communities with their respective institutions. Yet, territorial conflict has not disappeared entirely. The bilingual status of Brussels and its neighbouring municipalities, where Francophone minorities have settled in Flemish territory and want to keep their linguistic rights is still a salient matter of political discussion between parties north and south of the language border (L. Hooghe 2003). Conflict about the linguistic status of Brussels surrounding municipalities, the rights of the francophone minority, and a possible

redrawing of the boundary of the Brussels-Halle-Vilvoorde (BHV) district kept a deadlock in the federal government without an agreement between Flemish and Walloon parties to constitute a federal executive for more than 500 days after the 2010 federal election (Govaert 2012). This agreement included a demand of the Flemish parties to carry on a new constitutional reform and the Francophone parties eventually agreeing to the split the BHV electoral constituency.

The success of the secessionist *Nieuw-Vlaamse Alliantie* (N-VA), ranking first in Flanders and consequently in Belgium conditioned the political debate and the party has been campaigning for independence in the long term, while further decentralisation is aimed in the short term. Following the regional and federal election of 2014, the N-VA retained its position as the first party in Belgium while also securing office as the first party in the Flemish Parliament.

Scotland has a long history as an independent kingdom going back for centuries before the parliamentary union with England of 1707. Albeit the Scottish Parliament voted its own dissolution, the Act of Union granted the persistence of several idiosyncratic Scottish institutions of the civil society, such as the law, education, and religion. Scottish identity remained and developed while there was no significant attempt by the British state to Anglicise Scotland (Keating 2001a). British governments were traditionally pragmatic when implementing policy in Scotland by granting a substantial degree of local autonomy, while specific institutional arrangements, such as administrative devolution in the form of the Scottish Office were implemented to better execute public policy in the country.

The SNP, the main SNRP in Scotland, was founded in 1934 and rapidly set, after some vociferous internal debates, its main territorial goal to achieve Scotland's independence (Finlay 1994). However, Scottish nationalism was broadly spread amongst other parties in which support for the union was seen as the best way to serve Scotland's interests (Kidd 2008). The electoral breakthrough of the SNP in the 1960s posed an electoral threat to the Labour Party, which attempted a half-hearted attempt to implement legislative devolution in Scotland in the 1970s. The requirement of devolution to be backed by at least 40% of the population in a referendum in 1979 was not met following a highly divided campaign, and the election of a Conservative

government in Westminster settled the issue of devolution for the time being. Conservative policies undertaken by Mrs. Thatcher's government became highly unpopular in Scotland and the Scottish Conservatives suffered a steady decline in their electoral fortunes north of the border. This represented a democratic deficit, as claimed by the Scottish Constitutional Convention, resulting from Conservative policies being implemented in Scotland with received little electoral support. The Convention re-opened the path to legislative devolution with the support of the Labour and the Liberal Democrats, and Labour agreed to re-establish the Scottish Parliament in case of victory after the 1997 British General Election.

The electoral victory of Labour led to a quick referendum on the issue of devolution which received ample support in Scotland following a rather more united campaign, with Labour, the Liberal Democrats, and the SNP, supporting a Scottish Parliament. The re-opening of the Scottish Parliament in 1999 returned a Labour-Liberal Democrat coalition government, but the SNP established itself as the main competitor of Labour for office. The SNP, which never stopped campaigning in favour of Scottish independence, eventually won the Scottish Parliament election of 2007, with the promise to hold a referendum on the issue.

As a result of the 2007 election victory of the SNP, the unionist parties –Labour, the Conservatives, and the Liberal-Democrats– created a Commission on Scottish Devolution that reported that further autonomy –most notably fiscal autonomy– should be given to Holyrood. The unexpected victory of the nationalists with an overall majority in the last Scottish election opened the way for a referendum on Scotland's independence to be held on 18 September 2014.

Scotland is also a highly relevant case in order to analyse the effects of party competition on territorial demands. In a timespan of fifteen years Scotland has had two referendums: the first to implement legislative autonomy and the second to decide on the country's independence from the UK. The electoral success of the pro-independence SNP prompted the unionist parties to evaluate the working of devolution and to suggest further transfers of powers to the Scottish Parliament. The debate on devolution has been further enhanced by the overall majority achieved by the SNP which led to the call of a referendum on independence. Not surprisingly, the territorial

debate became most salient under such a scenario but the parties that defend Scotland's permanency in the UK put forward proposals to enhance the powers of the Scottish Parliament to secure a 'No' vote in September 2014. After the rejection of independence at the polls, constitutional change will continue in Scotland following the promises of the unionist parties for more devolution. The analysis of party competition in the Scottish case will therefore contribute to identify the dynamics that have led to this myriad of constitutional proposals.

3.2. Case Choice Justification

These three cases are Western liberal democracies with a multinational composition and a decentralised territorial organisation of the state. Other similarities, apart from the existence of demands for more self-government, are that the three states are members of the European Union and that their political systems are constitutional monarchies. Furthermore, the populations in the stateless nations chosen for the analysis show a high level of duality of both the cultural/national and state identities. The territorial cleavage is highly salient in the three cases, with substantive demands being put forward and renegotiated, and some sort of constitutional change delivered in the recent past. Demands have not stopped, though, and political parties do campaign and confront each other on their desired constitutional status for the stateless nation.

The three cases consist of party systems that contain both SNRPs and SWPs, in which the former either hold or have held office and are front runners at the sub-state level in every election. Party competition is defined by the struggle between –at least– one SNRP and a SWP. However, the three cases present substantial variation amongst themselves, which will increase the validity of the comparison. There is fierce competition between SNRPs in Catalonia with CiU and ERC dominating the Catalan nationalist ground. In Flanders, the N-VA has competition in the *Vlaams Belang* (VB), but also faces strong competition by the Flemish traditional parties. After the split of the main Belgian parties, the three Flemish traditional parties –Christian-Democrats, Socialists, and Liberals– have accentuated their regionalist profiles. In Scotland, by contrast, the SNP is the only relevant SNRP.

The three cases also vary in terms of their territorial organisation. Spain is a regionalised state with decentralisation applied *tout court* in a rather symmetric fashion and no specific recognition of Catalonia's national status. Belgium is a fully-fledged federation of regions and communities, with the particularity that is basically a dual federation of Flemish- and French-speakers. The UK is a regionalised state but highly asymmetrical, with Scotland, Wales and Northern Ireland having devolved institutions, but no self-government is devolved to England as a whole or the English regions. National recognition is given easily to the UK constituent nations, and specifically in the Scottish case the right of self-determination is effectively granted by Westminster. Public support for self-government varies across cases as well.

While a majority of Catalans and Scots support further powers for their devolved institutions, support for further powers is lower amongst the Flemish. Likewise, support for Flanders' independence is very low compared to moderate support for the independence of Catalonia and Scotland. Interestingly, while support for Scotland's independence has been stable for many years, support for independence in Catalonia has increased dramatically since 2010. Finally, although the three cases are economically sufficient, Catalonia and Flanders contribute a great deal more than Scotland does in taxes and solidarity transfers to other regions. Likewise, although Scotland's distinctive culture and traditions are well known, language plays no part there as most Scots are English-speakers, notwithstanding the tiny minority of speakers of Scottish Gaelic. Conversely, language is one of the most differential elements of Catalans and Flemish vis-à-vis Castilian Spanish and Francophone Belgians, respectively, and language protection and policy occupy a great deal of the parties' territorial concerns.

The three cases of Catalonia, Flanders, and Scotland have been widely studied in the fields of territorial politics, nationalism, and party politics in multi-level contexts. The similar characteristics these three cases share allow for a viable comparison between them while its differences will also contribute to a better understanding of the dynamics of party competition as the main driver of territorial demands in each case.

3.3. Research Timeframe and Research Methods

This study focuses on the dynamics of territorial demands since the last major phase of constitutional change in each case. In Belgium, my analysis focuses on the establishment of a formal federation following the 1993 constitutional reform, which led to the direct election of regional and community representative bodies (Deschouwer 2009b). For the UK, devolution following the 1997 electoral victory of the Labour Party and supported by referendum by the Scots is the starting point. Finally in Catalonia, the debate around the reform of the Statute of Autonomy, which started in 2003, and the eventual conclusion of the reform with the ruling of Spain's Constitutional Court set the ground for the escalation of the most recent demands for independence. The analysis since the last episode of constitutional change is convenient because it provides a starting point to analyse the evolution leading to the current territorial demands posed by political parties.

The analysis will therefore try to explain the dynamics around party competition in each case by means of process-tracing, a technique 'which attempts to trace the links between possible causes and observed outcomes' (George and Bennett 2005: 6). In this case, it is argued that party competition drives territorial demands and the in-depth case-study analysis of Catalonia, along with those of Scotland and Flanders, will shed light on the specific mechanisms and dynamics of party competition that contribute to a progressive escalation of territorial demands in these stateless nations. In order to do so, this study relies on a wide range of empirical data consisting of party and government documents, election manifestos, and a selection of party leaders' and spokespersons' statements in the media. Two three-month long fieldwork trips were also carried out to Catalonia and Flanders in order to access relevant primary and secondary sources for each case, and to conduct semi-structured research interviews with party leaders and officials.

Finally, due to the different weight of the three cases in the analysis more data has been gathered and is used in relation to the Catalan case. Unfortunately, some restrictions have also undermined the capacity of the researcher to gather a large amount of data for the Flemish and Scottish cases. This handicap has inevitably contributed to the redesign of this research by incorporating Flanders and Scotland as

two minor, complementary cases, instead of carrying out a balanced three-way comparison. Due to economic factors, the trip to Flanders was limited to just three months and the fact that the researcher is not proficient in Dutch severely undermined his capacity to access several documents written in this language. Additionally, interviews could only be carried out with members of one party, failing to get favourable responses from any of the other parties. This limited the scope of views from political actors about the Flemish parties' role on constitutional change in Belgium. Similarly, due to the upcoming of the 18 September 2014 referendum, most Scottish politicians contacted to be interviewed by the researcher were unable to schedule an interview and thus the data for the Scottish and Flemish cases is mostly based on documentary evidence.

These caveats on data collection undoubtedly had an impact on the generalisability of the results of this research for the cases of Flanders and Scotland. This limitation has driven the decision to treat these two cases as complementary to the Catalan case, which represents the main focus of the analysis and also responds to the author's main research interest. However, even with limitations, the comparative element with Scotland and Flanders will help us to better understand the nature of the dynamics of territorial demands that are going on in Catalonia, even if such results cannot be entirely generalised to Flanders and Scotland, and consequently to other similar cases of stateless nations. In any case, though, the amount of data for Catalonia is rich and substantial and provides for a consistent base to analyse the role that party competition plays in explaining territorial demands in this context.

Chapter 4. Political Parties and Territorial Demands in Catalonia

1. Introduction

The accommodation of Catalonia within Spain is a paradigmatic case of how territorial decentralisation is implemented to satisfy stateless nations' demands for self-government, especially on policy matters that are very relevant to the region's autochthonous culture and language. Political autonomy is however not granted unselfishly by the central government, since its ultimate aim is to deter secessionist sentiment and foster a solid integration of the stateless nation within the institutional, economic, and social frameworks of the state overall. Finding the exact characteristics of such agreement is by any means an easy task, which results in both central and peripheral actors contesting the status quo: the stateless nationalists tend to demand more than what they have got and the central government tends to avoid relinquishing any extra powers. Negotiations between the centre and the periphery are therefore inevitable and this leads to a dynamic of demand-response-demand that is clearly identifiable in the case of Catalonia.

Ongoing negotiations on the scope and character of Catalan self-government were intrinsic to the development of Spain's decentralisation process, while territorial issues and nationalism have played a crucial role both in Catalan and Spanish politics since then. Discussions on self-government have been constant since the negotiations leading to the passing of Spain's democratic Constitution. This process used to follow a consistent pattern of moderate demands from Catalonia followed by moderate responses by the central government up until the demand to reform the Catalan Statute of Autonomy in 2003. Before that significant change, territorial discussion was rather stable with two clear actors playing the main roles: the Spanish government on one side, and the Catalan government, led continuously by moderate Catalan nationalists from 1980 until 2003, on the other.

The relative stability of the Spanish decentralised system led many scholars to qualify it as a ‘success’ in terms of the management of territorial demands from the periphery and internal national-cultural diversity (Linz 1993; Moreno 2010). It has been therefore argued that Spain is a satisfactory example of the usefulness of federalism and federal-like arrangements to accommodate ethnic and national diversity (De Schutter 2011; McGarry and O’Leary 2007; 2009; O’Leary 2001; Stepan 1999; Stepan, Linz, and Yadav 2011).

The debate on the usefulness of federal arrangements to accommodate national diversity is still an open one (Erk and Anderson 2009), given that decentralisation and federalism ‘lead to the strengthening of regional and local orders of government’ (Erk and Swenden 2010b: 3) and regional institutions are thus able to provide ‘the infrastructure to shape identity-formation’ and ‘may allow secessionism to be reproduced’ (Meadwell 2009: 230-1). The Catalan case rightly illustrates the relevance of this debate if the events related to the territorial question in the last decade are considered. The moderate territorial demands of the Catalan government in the 1990s have turned into a demand to hold a self-determination referendum, and support for independence among Catalans has recently surpassed 50% according to some opinion polls (CEO 2011). The ‘success’ of the Spanish territorial model to accommodate Catalan demands for self-government is undeniably under a serious challenge today, and the lack of significant demands for change in the 1990s could have been erroneously taken as a prove of the successful accommodation of stateless nations by the so-called *Estado de las Autonomías*.

Although it is of course feasible to attribute the constitutional challenge to Spain’s unity partly to the ‘opportunism’ of political elites in promoting secession (Meadwell 2009), it should also be feasible to attribute part of it to the own dynamics of Spain’s decentralisation process. For a start, the symmetrical nature of Spanish decentralisation is completely blind to the recognition of the multinational character of Spain; and this has less to do with the scope of self-government that is granted to non-nationalist regions than to a symbolic recognition of ‘difference,’ the so-called ‘*hecho diferencial*.’ ‘For many Catalan [...] politicians and opinion-formers, it is less the concession of specific powers that matters than the recognition of their distinct

national identity' (Keating 1999: 84). The 'success' of the *Estado Autonómico* was taken for granted because decentralisation was effectively accomplished while the recognition of the distinct national identities has been traditionally neglected. 'Decentralizing a state is not the same as accommodating the distinct national identities that coexist within it,' and in this sense Spain's '*Estado de las Autonomías* worked relatively well when it had to *decentralize* the previous authoritarian state, but it is a model that blurs the landscape when through it one tries to create a rosy picture of the *recognition* and the political *accommodation* of the multinational character of the state. It is somewhat contradictory to treat the different national *demos* as though they were just 'Spanish autonomous regions' like others' (Requejo 2005: 90, original italics).

In the following lines the evolution of territorial demands from Catalonia will be discussed, as well as the different central governments' territorial management strategies to accommodate them. This evolution fits in the aforementioned dynamic of demand-response-demand, which has been in place until Catalan parties kept on pushing for more claims after the tortuous reform of the Statute of Autonomy: since then, the Spanish government has consistently rejected any further territorial demands posed by Catalan nationalists without putting any counteroffer on the negotiation table.

Section 2 introduces the Catalan political parties and presents their characteristics, trajectories and their stance on constitutional issues and their views on Catalan nationalism and identity. Section 3 discusses the evolution of Catalan territorial demands since Spain's transition to democracy. This evolution can be divided in five phases. The first phase consists of the initial steps of Spain's decentralisation process: the negotiation and approval of Spain's constitution and the original plan to quickly decentralise powers to those regions with a different culture, language, and a strong sense of regional identity, which had been heavily repressed during the dictatorship (Aja 2001; Montabes 1994). This initial asymmetrical scheme was challenged in the early 1980s to expand autonomy to all regions and establish a symmetric decentralised organisation of the state.

In the second phase a substantial increase of territorial demands was produced in a context of two successive hung parliaments at the centre, in which Catalan moderate nationalists exchanged their support to the Socialist (1993-1996) and Conservative

(1996-2000) Spanish governments for more autonomy concessions (Guibernau 2003; Keating 1997; van Biezen and Hopkin 2006).

The third phase represents the end of the exchange of autonomy concessions for parliamentary support at the centre when the Catalan moderate nationalists were no longer needed to provide parliamentary support in Madrid. The change of political alliances at the centre resulted in a period of hostility towards further decentralisation.

The fourth phase is the direct outcome of such central government hostility towards self-government demands from Catalonia. It led to a cross-party venture to reform the Catalan Statute of Autonomy.

Finally, the fifth phase stresses the territorial ongoing dynamic of demand-reform-demand in Catalonia by presenting the aftermath of the Statute of Autonomy reform after the new law was heavily contested politically and eventually watered down by Spain's Constitutional Court. The tumultuous process of self-government reform led to a perceived unsatisfactory outcome by Catalonia's nationalist parties, which triggered further demands first for full fiscal autonomy and eventually for a referendum on Catalonia's independence.

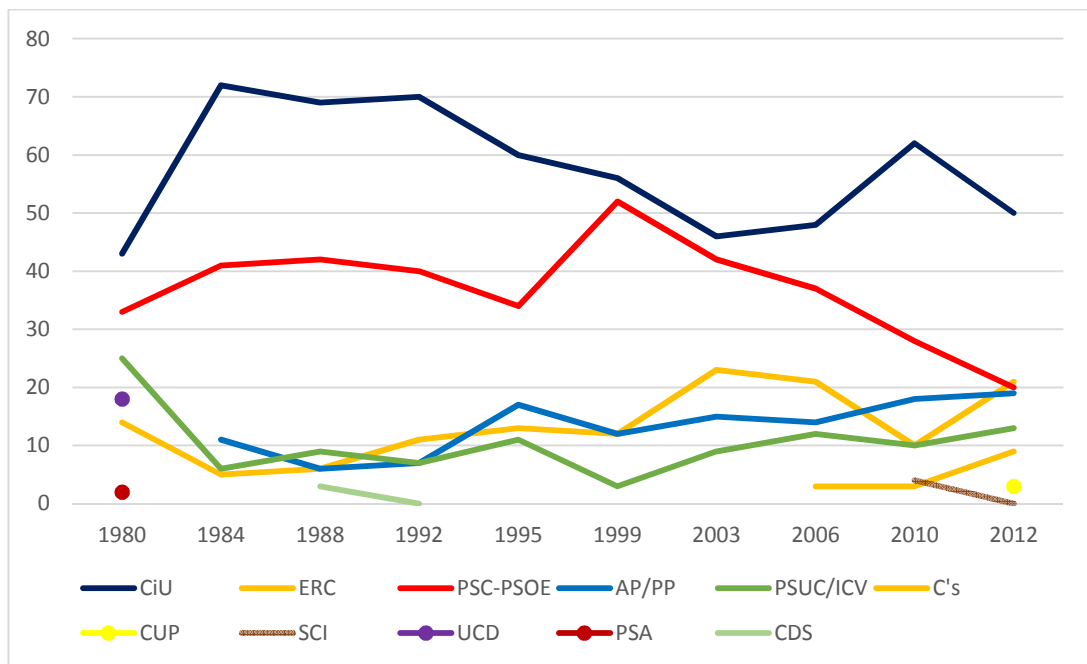
2. Political Parties and Party System in Catalonia

Party competition in Catalonia includes the traditional left-right socio-economic axis but also a clear territorial component, where parties position themselves on what the relationship between Catalonia and the rest of Spain should be. This axis runs from the defence of the territorial status quo backed by some parties, which normally espouse a Spanish-nationalist discourse and deny the existence of the Catalan nation; to Catalan nationalist or Catalanist parties that promote further self-government and recognition for Catalonia, from a development of Spain's constitution towards a more clear-cut federation, more fiscal powers for Catalan institutions or straightforward independence from Spain. Currently, seven parties are represented in the Catalan

Parliament but up to eleven parties have gained seats since the first Catalan election in 1980.

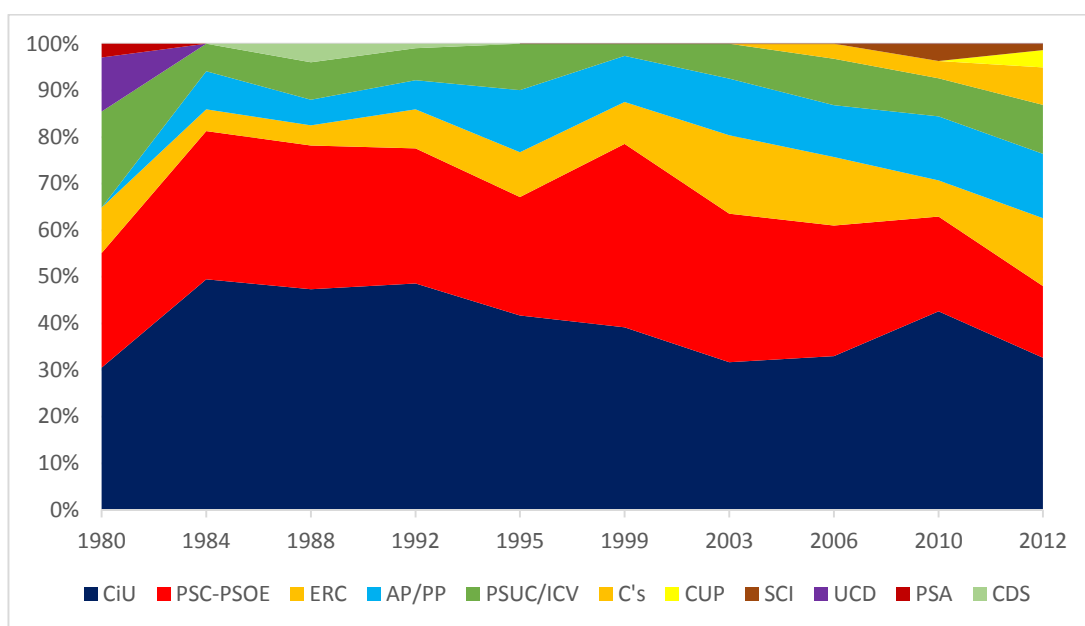
Convergència i Unió (CiU) has been the dominant party in Catalonia, winning every single election in number of seats since the recovering of autonomy, while its traditional main competitor has been the Catalan Socialists, the *Partit dels Socialistes de Catalunya* (PSC), putting on a close fight particularly in the 1999 and 2003 Catalan elections. However, the PSC has steadily decreased its vote share in the last decade and ultimately lost its runner-up position to *Esquerra Republicana de Catalunya* (ERC), in number of seats, after the 2012 election. Figures 1 and 2 show the evolution of the electoral results of Catalan political parties for sub-state elections in number of seats and vote percentage, respectively.

Figure 1. Electoral results in Catalonia in number of seats (1980-2012)



Source: Generalitat de Catalunya.

Figure 2. Political Parties' vote percentage share in Catalan elections (1980-2012)



Source: Generalitat de Catalunya.

CiU enjoyed the political hegemony in Catalonia from the mid-1980s until the mid-1990s with three successive overall majorities in the Catalan Parliament, and its vote share started to decline after the 1995 Catalan election (Barberà and Barrio 2006).

A similar declining trend occurred to the PSC, albeit the party got its best result in the 1999 Catalan election. However, this successful result was partly due to the fact that the PSC ran in coalition with *Iniciativa per Catalunya-Verds* (ICV) in that election, except in the Barcelona constituency. The Socialists finally ousted CiU from government after the 2003 election thanks to the tripartite coalition with ERC and ICV, but 1999 marked the beginning of a continuous electoral decline that brought them down to the vote share levels of ERC and the *Partit Popular* (PP) in the 2012 election, as is clearly shown in figures 1 and 2.

Besides CiU and the PSC, three parties have consistently been represented in parliament. The ERC, the PP, and the ICV, although the latter two originally ran elections as the *Alianza Popular* (AP), or Popular Alliance, and as the *Partit Socialista Unificat de Catalunya* (PSUC), or Unified Socialist Party of Catalonia, which had strong links with the Spanish Communist Party (PCE). These three parties have traditionally competed for the third place and have gathered between 5% and 15% of

the vote. ERC achieved its best result in 2003 with 23 seats and got back in strength with 21 seats in 2012, after returning only 10 in 2010 after its second tripartite government experience. The PP has consistently gathered around 10% of the vote and has been increasing its share of seats constantly in the last decade with a best result of 19 in the last 2012 election.

From 1992 until 2006 only these five parties were represented. The *Unión de Centro Democrático* (UCD) appeared in the first parliament before its implosion in 1982, most of its voters switching afterwards to the AP as it did happen in the state-wide arena, while the *Centro Democrático y Social* (CDS), a centre party founded by former PM Suárez made a short and moderate appearance in the 1988 election. The first election also saw the *Partido Socialista Andaluz* (PSA) gaining two seats with the aim of representing citizens with Andalusian roots in Catalonia (Barrio et al. 2010), but the party did not contest any further elections after 1984. In 2006 a new party, *Ciutadans–Partido de la Ciudadanía* (C's) entered parliament, gathering three seats under the banner of anti-Catalan nationalism (Barberà, Barrio, and Rodríguez 2009). The increasing saliency of the territorial cleavage and the high levels of polarisation around Catalan independence has further benefited the party's results with a successful gain in vote share, which resulted in the party trebling its number of seats after the last 2012 election.

In 2010, building into the discontent of the Constitutional Court's ruling on the Statute of Autonomy, *Solidaritat Catalana per la Independència* (SCI) was created shortly before the 2010 election to gather support from pro-independence voters under a straightforward slogan of a unilateral declaration of independence for Catalonia. The party recruited high-profile independence paladins such as Joan Laporta, former *Futbol Club Barcelona* chairman, and several former members of ERC. However, the party lost all of its seats in the 2012 snap election in which the party's pro-independence voters had plenty of other options available, including traditional parties, such as CiU and ERC. Another pro-independence party, the *Candidatures d'Unitat Popular* (CUP), or Candidates of Popular Unity, entered parliament after a lengthy trajectory in local politics under the triple banner of Catalan independence—including the so-called *Països Catalans* or Catalan Countries, which include the

Valencia region and the Balearic Islands apart from Catalonia, plus the territories usually referred to as ‘Northern Catalonia’ that were transferred to France in 1659 Treaty of the Pyrenees–, socialism, and democratic regeneration. The CUP gathered three seats in the 2012 election.

Electoral competition in the 1980s and 1990s mainly involved CiU and the PSC, which represented the main parties on the centre-right and centre-left respectively. On territorial grounds, CiU traditionally espoused a progressive expansion of Catalan institutions’ competences and a recognition of Catalonia’s national distinctiveness, whereas the PSC backed Catalan self-government within the framework of a ‘federalisation’ of Spain. Each of the other three minor parties supported different views on Catalonia’s constitutional status. The ICV followed the federalist trend and argued for further decentralisation and a constitutional reform that transformed Spain into a fully-fledged federation. The PP supported the status quo, arguing that the *Estado de las Autonomías* had been beneficial for Catalonia and no further powers were needed.

Finally, ERC has supported independence in Europe since 1992 (Guibernau 1997; Keating 1999). The developments during the last term of President Jordi Pujol in office saw the Socialists led by Pasqual Maragall to put forward a proposal to reform Catalonia’s Statute of Autonomy, a move that was supported by ICV and ERC and eventually followed by CiU. The support for the Statute reform was opposed, as we have seen in the previous chapter, by the PP; and after the Statute was approved and new elections were called late in 2006 the new party *Ciutadans*, also campaigned against the reform, labelling it as a ‘failure’ and claiming to support any challenge to the newly approved law put to the Constitutional Court (C’s 2006), thus aligning itself with the PP’s views on Catalan self-government. As shown on figure 1, C’s returned three seats in the Parliament in 2006 and their discourse against Catalan nationalism and lately also against Catalan independence has undoubtedly contributed to the high saliency of the independence debate in the last election campaign of 2012, which proved also successful for the party since it trebled its number of seats.

The Statute reform *per se* did not change the positions of the main Catalanist parties on the territorial question. CiU and the PSC still defended the outcome of the Statute

reform of 2006 and even ERC, which campaigned for independence, was eager to develop and apply the new competences granted by the reformed Statute, most notably the reform of the funding system of the Autonomous communities, while being in government. However, the ruling of the Constitutional Court triggered a change in the parties' territorial horizons as will be explained below.

3. The Evolution of Territorial Demands in Catalonia

3.1. Democratic Transition and the Establishment of Autonomy: From Asymmetry to Symmetry, 1978-1993

The death of Franco and the willingness of the Spanish political elite, including most notably King Juan Carlos –Franco's successor as Spain's head of state–, to transform Spain into a modern European liberal democracy opened up the possibility for the dormant Catalan nationalism to raise demands for political autonomy. Catalan language and any form of nationalism had been repressed during the dictatorship (Harvie 1994; Keating 1988; Llobera 1997), although the remnants of Catalan nationalism –which is commonly referred to as '*Catalanisme*' (Moreno 2007: 93)– were strong enough to be politically relevant during the democratic transition.

The Constitution of 1978 'recognises and guarantees the right to autonomy of the nationalities and regions' in its Article 2, which also stresses that the 'Constitution is based upon the indissoluble unity of the Spanish Nation'¹ and thus reinforces the centre's ultimate authority (Agranoff 2004). The capitalised 'N' in Nation evidently stresses the supremacy of the concept compared to the subjects of authority, the regions and specially the nationalities, whose 'exact definition was never fully agreed' and they 'appear nowhere else in the Constitution' although the term is indeed used in several statutes of autonomy 'generally to distinguish the 'historic regions' [...] from

¹ Author's translation from the original in Spanish. Article 2 reads: '*La Constitución se fundamenta en la indisoluble unidad de la Nación española [...] [y] reconoce y garantiza el derecho a la autonomía de las nacionalidades y las regiones [...].*'

the rest' (Brassloff 1989: 31). It has been commonly accepted that the 'historic regions' of Catalonia, the Basque Country, and Galicia were to be regarded as 'nationalities,' and in fact the fast-track to autonomy embedded in Article 151 refers to these three territories without naming them by keeping the fast-track route to the territories that had received or voted for autonomy in the past.² The Constitution was passed by the Spanish parliament and endorsed in a referendum in December 1978, including an overwhelming majority of about 90% of the Catalan voters.³ Following the approval of the Constitution, the Basque and Catalan Statutes of Autonomy were quickly passed in March 1979.

The Spanish government under the UCD aimed at containing autonomy demands to these two most assertive territories and forcing all other regions to accept the slow-route emanating from Article 143 of the Constitution, which allowed for a more limited scope of powers to the regions. The UCD even wanted to bring Galicia under the slow-track to autonomy, albeit it was constitutionally entitled to the fast route, but Galician back-benchers from the UCD helped bringing down this proposal. Autonomy demands triggered in Andalusia as well, where local elites pushed for a referendum on Andalusia joining the fast-track alongside the 'historic nationalities.' With the aim of containing the fast-track and maximum autonomy to the historic nationalities, the UCD campaigned for abstention while the *Partido Socialista Obrero Español* (PSOE),⁴ which was already strong in the south of Spain, campaigned for a yes vote, which achieved a majority in the referendum (van Biezen and Hopkin 2006: 22-3). This represented a blow for the UCD, which had to strike an agreement with the PSOE to

² Catalonia had received its Statute of Autonomy in 1932 and the Basque Country in 1936, while Galician autonomy was proposed, although a Statute was never passed due to the start of the Civil War. The specific reference to the territories that had voted on autonomy in the past is included in the Second Additional Clause – '*Disposición Adicional Segunda*' – of the Spanish Constitution.

³ 1978 Referendum on the Spanish Constitution results available from the Department of Governance of the Catalan Government website. Available at:

http://www10.gencat.cat/pls/gov_eleccions/p12.consultar_res_cat?v_tipus_eleccio=R&v_any_eleccio=1978&v_num_eleccio=1.

⁴ The PSOE, the Spanish Socialist Workers' Party, is federated with the PSC.

include Andalusia as a fast-track autonomous community.⁵ The latter's role in supporting Andalusia in moving up to the fast route to autonomy 'proved to be crucial in the final application of the State of Autonomies' since Andalusia 'turned into a model for the rest [of the regions] to emulate.' The PSOE 'capitalized on these autonomic and pseudonationalist referents and turned them into the cornerstones of its political opposition to the central Government and to the UCD, [...] a strategy that yielded excellent political results' (Montabes 1994: 137-8), with victories for the PSOE in the first Andalusian regional election of May 1982 and in the general election in October that same year. The Andalusian episode was effectively the turning point that would bring a regionalisation *tout court* in Spain.

The commitment of the PSOE to enhance Andalusian autonomy and ultimately that of all the other regions in the 1980s after the party's victory in the 1982 general election explains the decision to abandon a specific territorial accommodation of the historic nationalities for a decentralisation process that is essentially of a symmetric nature. The logic of symmetric decentralisation responds to the fact that the 'regions left out of the process protest, and the central government does not wish to appear to reward secessionism or to be responding too obviously to the pressures of secessionist movements' (Sorens 2004: 740-1).

The symmetric turn that Spain's decentralisation took in the early 1980s therefore set the ground for Catalan nationalists to demand either more powers or demand to keep those agreed in the 1979 Statute of Autonomy, since there was a fear that decentralisation *tout court* would bring a watering down of autonomous powers in favour of state-wide autonomous policy control directed from Madrid.

⁵ Although there was a majority for the fast route to autonomy in Andalusia overall, the requirement that a majority was needed in each province was not met. The Socialist regional leader Escudero rejected any outcome not consisting of Andalusia achieving the same status as the 'historic nationalities,' and eventually the UCD had to agree to this demand, which was completely backed by the PSOE. 'The political will of the people of Andalusia,' a commentator wrote, 'imposed itself this time over the legal difficulties designed and applied to force a territorial model of the State of Autonomies divided in two great blocks. The referendum [in Andalusia] had deprived such demands of all legitimacy' (Montabes 1994: 139).

In March 1980 the moderate Catalan nationalists won the first election to the Catalan parliament. Jordi Pujol's *Convergència Democràtica de Catalunya* (CDC) reached a stable pact with the Christian-Democrats and moderate Catalan nationalists of *Unió Democràtica de Catalunya* (UDC) in 1979, and both parties have run together in the coalition of *Convergència i Unió* (CiU) since. 'The element for unification was catalanism, the defense of Catalonia and the expression of a program of national construction' (Marcet 1994: 171). Jordi Pujol became the party leader and its main ideologist, and CiU was thought to be 'a party that brings together all the ideological references with a common denominator which is Catalan nationalism and which tries to overcome the left-right cleavage to become the national party of the Catalan people' (Barberà and Barrio 2006: 117).

The success of the party, which has won all the Catalan elections –in number of seats– since 1980, was attributed to Pujol's leadership and charisma, and the role of CiU as a wide Catalan nationalist party-movement, with a moderate programme for the construction of Catalonia (Marcet and Argelaguet 1998: 74-6); which implied a process of nation-building of the Catalan nation through the newly recovered Catalan institutions while putting its emphasis on the preservation and defence of the Catalan language. At the same time, though, Catalan nationalism has traditionally stressed its civic character, early emphasised by Pujol's phrase that a Catalan is anyone 'who lives and works in Catalonia and wants to be a Catalan' (quoted in Guibernau 1997: 91).

The nationalist coalition of CiU achieved comfortable overall majorities in the next three Catalan elections of 1984, 1988, and 1992. The electoral outcomes and the comfortable position of CiU leading the Catalan executive on its own may well serve to establish a proxy between CiU's territorial demands during the 1980s and 1990s to those of the Catalan government. Thus, especially during the 1980s, CiU tried to consolidate Catalan self-government by putting a lot of emphasis in securing the status and every-day use of the Catalan language, especially in areas such as education, culture or public administration (Aja 2001). During this period CiU was a true heir to traditional Catalan nationalism from the early-to-mid 20th century, which had tried to strengthen self-government in Catalonia combining it with playing an important role in Spanish-wide politics (Beramendi and Máiz 2004; Pallarés and Keating 2006).

The strategy followed by CiU and the Catalan government could be described as a ‘defensive’ one, aiming at the fulfilment of the Catalan Statute of Autonomy and demanding the effective transfer of the competencies allocated to the Catalan institutions. The first serious challenge that Catalan self-government faced came rather quickly in the form of the *Ley Orgánica de Armonización del Proceso Autonómico* (LOAPA) (Organic Law for the Harmonisation of the Autonomy Process). Bearing in mind the atmosphere after the attempted *coup d’état* on February 23rd 1981 and the worries amongst the Spanish Army that the decentralisation process was going too far and too fast, the ruling UCD and the PSOE struck a series of agreements to ‘rationalise’ the autonomy process. These bilateral agreements left aside the other SWPs and the main SNRPs in Catalonia and the Basque Country; and apart from aiming at an harmonisation of the regional powers, they also ‘sought to draw back some of the powers already agreed with the Autonomous Communities and to force regional parliaments to look to the central government for ratification of their laws’ (Brassloff 1989: 34). The Catalan and Basque governments challenged the LOAPA to the Constitutional Court, which declared it partly unconstitutional, but some homogeneity principles remained and it provided for the non-historic communities to catch-up with the historic nationalities in terms of the scope of autonomy powers. This regional symmetrisation ideal was carried through by the PSOE central government after the party’s October 1982 general election victory by ‘supporting certain territories’ decisions to take on important *competencias* such as health and education,’ thus increasing the number of Autonomous Communities in the authority transfers negotiations, which served ‘partly to dilute the political bargaining effect of the Basques and Catalans’ (Agranoff and Ramos Gallarín 1997: 15).

The role of the Constitutional Court during the years after LOAPA was a crucial one, with the central and regional governments –especially the Basque and Catalan executives– challenging ‘hundreds’ of laws and decisions of the other tier of government to the Court in a zealous attempt to clarify the allocation of powers and competencies (Keating 1998b: 210). After the initial steps of asymmetrical decentralisation following the democratic transition, the LOAPA triggered a second

phase consisting of the safekeeping and development of autonomy. This strategy was marked by the UCD-PSOE autonomy agreements which were highly influenced by centralisation and the establishment of a 'homogenising model' which lasted until 1993 (Requejo 2001b).

Symmetric decentralisation was further strengthened in the early 1990s through the *Pactos Autonómicos* of 1992 between the ruling PSOE and the PP, which had taken over from the UCD as the main opposition party since the 1982 general election. The 1992 Autonomy Pacts between the two main Spanish parties, echoing the Autonomy agreements that led to the LOAPA in 1981, 'evened out competencies among all seventeen regions' in order to 'achieve a greater parity of treatment;' which was justified on the grounds of the constitutionally entrenched principle of solidarity between regions that had been already put into effect on fiscal redistributive policy: an Interterritorial Compensation Fund (FCI) 'distributes funds to the less well-off regions' from the regions that are better off economically (Agranoff and Ramos Gallarín 1997: 14). However, two Autonomous Communities, the Basque Country and Navarre are not part of the common system of fiscal funding since they enjoy the so-called '*concierto económico*' and '*convenio*' respectively, which provides for full fiscal autonomy for the two autonomous governments and dispenses them from contributing to the interregional solidarity mechanisms (Agranoff 1993; Clark 1989; Keating 1988). These two special fiscal systems that are constitutionally granted due to historical reasons –Navarre and the Basque province of Araba/Álava even enjoyed these prerogatives during Franco's dictatorship– have been widely considered as one, if not the most, asymmetrical institution in decentralised Spain (Keating 1999; Swenden 2006). During the 1990s fiscal autonomy for the other regions in the common fiscal system was deemed to be rather low (Brancati 2008) and the centre was –and still is– the main, if not only responsible, for both the tax-raising process, and the interregional distribution of economic resources (Jeffery 2003).

As a result of the 1992 *Pactos Autonómicos*, 'the autonomous communities powers in areas directly affecting citizens are identical for practical purposes' and 'the most important differences of substance lie in the specific historical, legal, and linguistic aspects of some autonomous communities' (Aja 2001: 244). The homogenisation of

powers encouraged SNRPs in Catalonia and the Basque Country to demand further decentralisation (Beramendi and Máiz 2004) and thus the ‘centrifugal pressures’ of the Spanish decentralisation model have been running since, where territorial demands that lead to the (re-)establishment of asymmetries –especially, if not exclusively from the Basques and Catalan SNRPs– would be challenged in turn by the political elites in the other regions, which will demand a re-symmetrisation of the system (Hombrado 2011; Moreno 2001a). Thus, re-symmetrisation triggered in turn demands from stateless nationalists contributing to the establishment of the pattern demand-response-demand that has characterised Catalan territorial demands since the re-establishment of self-government institutions.

3.2. The ‘*Peix al cove*’: Exchanging Autonomy Concessions for Parliamentary Support at the Centre, 1993-2000⁶

The political opportunity for SNRPs to pose territorial demands –and have them attended– quickly followed the 1992 homogenisation agreements when the PSOE lost its overall majority in the Spanish parliament and required the support of SNRPs to ensure governability. An identical scenario occurred again after the 1996 election when the conservative PP won the Spanish general election for the first time and required the support of SNRPs to consolidate its parliamentary majority. Thus, during these period, CiU –alongside the Basque PNV and the *Coalición Canaria* (CC) of the Canary Islands– gave its support to the minority governments of both PSOE (1993-96) and PP (1996-2000) in parliament, but this support evidently came at a price. The particular configuration of a hung parliament in Madrid gave CiU a ‘powerful brokerage’ or ‘blackmail potential’ which the party used to extract ‘regional resources in exchange for supporting a statewide government’ (Swenden and Maddens 2009: 8).

⁶ ‘*Peix al cove*,’ literally ‘A Fish in the Basket,’ is the popular name by which the strategy pursued by CiU in the 1990s was known. Any concession related to autonomous powers that the centre was willing or forced to make (the ‘fish’) should be seized whatever the costs.

The price paid by central governments in terms of further decentralisation during the 1990s was basically a greater share of economic resources for the regional institutions and a transfer of several competences. CiU managed in the 1993 agreement with the PSOE to retain the 15% share of tax-share and a substantial development of pending transfers of competencies included in the Catalan Statute of Autonomy (Guibernau 2003), while after the 1996 election the negotiations between CiU and the PP delivered ‘an increase in the income tax sharing arrangements from fifteen percent to thirty percent, substantial reduction in the influence of prefectural administration [the powers of the central government’s representative in Catalonia], control over new competencies within Catalonia, such as ports and traffic control, and assumption of the Catalan [autonomous community] deficits in health care and delivery,’ although the increase in tax-sharing would be extended to all other regions (Agranoff and Ramos Gallarín 1997: 33), excepting the Basque Country and Navarre, which had their own specific fiscal arrangements.

The 1996 agreement was regarded by CiU as a big step forward for Catalan self-government and it is even considered positively by several party officials, as was recalled by a CiU Catalan MP, which argued in an interview with the author that the PP ‘had to negotiate, which is what occurred with the *Majestic Pacts* of 1996, because the biggest cessions of ‘sovereignty’ [i.e. political authority and economic resources] to Catalonia were actually the product of an agreement between *Convergència i Unió* and the *Partit Popular*;’ while he also stressed the brokerage potential that CiU enjoyed, arguing that the PP would not have willingly transferred powers to Catalonia if CiU’s support had not been required.⁷ Notwithstanding the claims that the transfers realised during the 1990s, particularly those struck with the PP in the 1996 agreement, were a considerable step forward, the truth is that CiU refrained from demanding any substantial alterations to the constitutional status quo. Significant or more assertive demands such as full fiscal autonomy, formal constitutional change through a reform

⁷ Interview with a Catalan MP from CiU. Author’s translation from the original in Catalan: ‘[el PP va] tenir que negociar, que és el que va passar amb els Pactes del Majestic del 96, perquè les cessions més grans de sobirania cap a Catalunya en realitat van ser el producte d’un pacte de Convergència i Unió amb el Partit Popular. És a dir, per què? Perquè el Partit Popular ho creia? No. Perquè la necessitat de la negociació política ens portava aquí’ (Montañola 2012).

of the Statute of Autonomy, or independence, which was first put forward in the 1990s by ERC, were constantly downplayed and rejected by Pujol and his party, which focused on securing and maximising cultural autonomy and the largest possible share of resources without demanding fiscal responsibilities (van Houten 2004; 2007).

The political scenario turned highly competitive on the run to the 1999 Catalan election. On the one hand, CiU had started an electoral decline; on the other, the PSC autonomous condition was reinforced from the loss of power of the PSOE at the central level and the departure of long-term serving Spanish PM Felipe González, which loosened the central grip on the territorial party structure (Hopkin 2003). The PSC quickly re-asserted its Catalanist and federalist profile, most notably placing the charismatic former mayor of Barcelona, Pasqual Maragall, as the presidential candidate for the 1999 election (van Houten 2009). The election results confirmed the recovery of the PSC, which received more votes than CiU, but the effects of the electoral system –with the rural areas being slightly overrepresented– resulted in CiU gaining more seats than the PSC. CiU returned 56 seats and was 12 short of a majority,⁸ precisely the number of seats received by both the ERC and the PP. CiU could therefore choose between two prospective allies with opposite profiles, but Pujol preferred an alliance with the PP, thus consolidating the links between the two parties already present in the Spanish parliament (Argelaguet 2006). Congruent coalitions have been traditionally preferred and also deemed ‘preferable’ in multi-level party politics, as has been widely analysed, especially in the Belgian case (Buelens and Deschouwer 2007; Deschouwer 2009a; Swenden 2002); and there is little doubt that Pujol’s rationale to consolidate the links with the PP responded to a wish to maintain the territorial strategy developed during the 1990s of exchanging support for concessions.

The strategy of exchanging parliamentary support for autonomy concessions looked reasonable by the central leadership of the PP, whereas the support of the PP to CiU

⁸ The 1999 election results are available on the Catalan Government’s Department of Governance website, at:
http://www10.gencat.cat/pls/gov_eleccions/p12.consultar_res_cat?v_tipus_eleccio=A&v_any_eleccio=1999&v_num_eleccio=1.

in Catalonia proved useful to block any other substantial demand, most notably a CiU-led reform of the Catalan Statute of Autonomy. A former leader of ERC confirmed that the stable cooperation between CiU and the PP included ‘amongst different agreements, not to reform the Statute [of Autonomy], which is the condition that the PP imposed.’⁹ The corollary of Pujol’s decision probably was that striking an agreement with ERC and thus establishing a Catalan nationalist coalition government involving the CiU and the ERC in the Catalan parliament would probably woo the PP to negotiate any further demands, considering that ERC might have demanded further authority transfers and full fiscal autonomy, which inevitably would have placed Catalan demands far beyond what CiU had hitherto demanded to the central government in exchange for its parliamentary support.

3.3. Hostility From the Centre: The PP’s Halt to Decentralisation, 2000-2003

The *quid pro quo* agreement between CiU and the PP reached an abrupt end after the March 2000 Spanish general election, in which the PP achieved an overall majority and therefore CiU’s support was no longer required in Madrid. The overall majority in the Spanish parliament was translated into a significant attitudinal change of the PP towards decentralisation and territorial management. The 2000-2004 PP government pushed for a re-centralisation and a reinvigorated Spanish nationalism that was embedded in certain law proposals, such as a new education bill that was contested by the Catalan government, which argued that the Catalan language was to be ‘marginalised’ in favour of Spanish (La Vanguardia, 27 March 2003). An active development of basic legislation also challenged the political autonomy of the autonomous communities, and overall the parliamentary term of 2000-2004 has been described as one that was marked by recentralisation, fierce opposition to the stateless

⁹ Interview with former ERC Secretary General, Joan Ridao. Author’s translation from the original in Catalan: ‘entre altres coses a canvi de no reformar l’Estatut, que és la condició que el PP va fixar’ (Ridao 2012).

nationalisms, and PM Aznar's authoritarian-style of government (Argelaguet 2006; Guibernau 2006; 2007).

In this context, ERC urged Pujol to switch allies and establish a Catalan nationalist coalition government with ERC in order to stand against the PP's recentralising policies, but Pujol refused these proposals several times and relied on the PP's support, which even helped CiU in defeating a censorship motion posed by Pasqual Maragall (Argelaguet 2006; Barberà and Barrio 2006), a highly tactical movement by the PSC leader, which undoubtedly aimed to emphasise in front of the Catalan public Pujol's dependence on the PP and the close links between the two parties. The ERC did not take kindly Pujol's rebuffing to their alliance proposal.

According to the current party spokeswoman, ERC offered President Pujol half-way through the 1999-2003 parliament to change alliances in order to make a significant step forward in Catalonia's self-government; and warning him that he was in office thanks to the PP, which had vehemently shown that they did not support further decentralisation, and that later on it would be too late to switch allies. Pujol's rejection of the proposition 'was perceived by *Esquerra* as a humiliation to the party leader that offered him this possibility, Carod-Rovira. [...] [The offer] was undervalued, which coming from another [Catalan] nationalist party produced astonishment in ERC.' This episode further tensed the relationships between ERC and CiU and the former, 'given the lack of activity of *Convergència i Unió* [in expanding self-government], an agreement was developed and eventually crystallised with a joint document of the PSC, *Esquerra*, and *Iniciativa*, to change the political status and at least make a step forward in the bilateral relationship between the Catalan and Spanish governments with an updated Statute [of Autonomy].'¹⁰ Hence, the agreement between CiU and the

¹⁰ Interview with ERC party spokeswoman, Anna Simó. Author's translation from: 'estàvem a meitat de legislatura, des d'Esquerra se li va fer un plantejament al President Pujol de dir, ara ets a la meitat de la legislatura, ara ets a temps de fer un canvi de socis, però per fer un pas endavant nacional. Estàs governant [...] amb el suport d'aquells que no volen un avenç nacional pel país, de manera que ara és l'hora. Més tard, serà tard, i llavors no ens vinguís a buscar. [...] una resposta que aleshores va ser vista per Esquerra com a humiliant cap al líder que va formular aquesta qüestió, que va ser Carod-Rovira. Això es pot trobar, en què diguem-ne es va menystenir, venint d'un partit nacionalista, això va causar diguem-ne estupor a Esquerra.' 'A la pràctica, davant d'una falta de pro-activitat de Convergència i Unió, es va anar aglutinant un acord que es va cristal·litzar amb un document conjunt, de conclusions

PP indirectly facilitated cooperation amongst the other three opposition parties in order to discuss an embryonic demand for reforming the Catalan Statute of Autonomy.

3.4. The Reform of the Statute of Autonomy, 2003-2010

The joint talks between the left-wing opposition parties in the Catalan Parliament after Pujol's rebuffing of ERC's offer to end its parliamentary alliance with the PP resulted in a preliminary proposal that led to the creation of a parliamentary committee to study the development of Catalan self-government – '*Comissió d'estudi per a l'aprofundiment de l'autogovern*.' The joint proposal made by the PSC, ERC and *Iniciativa per Catalunya-Verds* (ICV) for the final report of the Commission advocates an extension of Catalan self-government in a broader sense, using any mechanism available to the Catalan institutions. Hence, the report states that 'the Commission ascertains that so far the potentialities [of self-government] of the Constitution and the Statute have not been fully developed;' and concludes that the Commission 'has included in its recommendations all available instruments to obtain what is considered to be the desired outcome: political agreements, legislative reforms in the Catalan and Spanish Parliaments, appeals to the Constitutional Court and, eventually, the reform of the Statute and the Constitution' (ICV, ERC, and PSC 2001).¹¹ The parliamentary committee finished its works in November 2002 and a vote took place in which the commission endorsed the possibility of reforming the Statute of Autonomy.

The commission members of CiU endorsed the demand for reform as well, thus confirming the party's switch from its previous reservations to demand such a reform as a part of its parliamentary agreement with the PP. A representative of CiU even argued that the parliamentary committee's conclusion was not ambitious enough, and

de PSC, Esquerra i Iniciativa, per tal de modificar diguem-ne l'estatus polític i almenys fer un salt en les relacions bilaterals Estat-Generalitat amb un Estatut que es posés al dia' (Simó 2012).

¹¹ Author's translation from the original in Catalan: 'la Comissió constata que no s'han desenvolupat totes les potencialitats dels textos constitucionals i estatutaris' (p. 3), and '[la Comissió] ha incorporat a les seves recomanacions tots els instruments disponibles de cara obtenir els resultats que es consideren desitjables: acords polítics, reformes legislatives al Parlament català i a les Corts espanyoles, recurs al Tribunal Constitucional i, finalment, reforma de l'Estatut i de la Constitució' (p. 27).

assured his parliamentary peers that CiU, in the forthcoming election campaign, would ‘put forward a new statutory text that will go far beyond, [and] will set new horizons of self-government’¹² (Camp i Batalla 2002: 8). CiU joined thus the demand for a new Statute and the 4-party block in favour of the reform was established.

The political consensus –excluding the PP– on the demand for a reform of the Statute implied that all four political parties included the reform in their 2003 election manifestos. CiU had changed its position on the issue due to two main reasons, according to a senior party official. First, the substitution of Pujol by Mas; and second, the pressure that the other parties, especially the PSC, which was the main electoral competitor of the nationalists, had exercised by openly demanding a reform. This party official admitted in an interview that ‘Pujol and his people for many years adopted a conformist attitude, surely, but Pujol [...] also feared that opening a process of a Statute [reform] did not guarantee to move forward, but even to go backwards,’ while ‘Pujol’s replacement also allowed for this new wave [of leaders] to appear in strength into the party leadership, which is also an important factor alongside [...], to be very honest, the tactical movement played mainly, not even by the PSC, but by Pasqual Maragall.’¹³ The new leadership of CDC was formed by younger politicians, most of whom favoured further self-government; they were ‘proponents of sovereignty’ and thus regarded as ‘*sovereignists*’ (Barberà and Barrio 2006: 127).

CiU’s proposal of Statute reform, which they labelled ‘*Estatut Nacional de Catalunya*’ (National Statute of Catalonia) included, among other features, national recognition for Catalonia, including language –for instance, the possibility of Catalan being accepted as an official language of the EU– and national sports teams; a model of

¹² Author’s translation from the original in Catalan: ‘Nosaltres plantejarem un nou text estatutari que anirà molt més enllà, marcarà uns nous horitzons de l’autogovern.’

¹³ Author’s translation from the original interview in Catalan: ‘en Pujol durant molts anys [hi va haver] una part de comoditat i conformitat, segur, però a més [...] a en Pujol, també hi havia l’olfacte que obrir un meló com l’Estatut no era garantia d’anar a més, sinó potser inclús d’anar a menys,’ and ‘el relleu d’en Mas per en Pujol també permet doncs que aquesta onada aparaguei amb força a la direcció de Convergència i per tant que també és un factor, que es compagina [...], per dir-ho amb molta sinceritat, [...] amb un moviment molt tàctic que va fer principalment, ja no m’atreveixo a dir ni el PSC, en Pasqual Maragall’ (Pujol 2012).

shared sovereignty, which would emphasise a bilateral relationship, rather than multilateral, between the central government and the *Generalitat*; and significantly, ‘a funding system inspired on the formula of the *concert econòmic*’ (CiU 2003: 102).¹⁴ For its part, the PSC also stressed the demand that the Statute would include the national recognition of Catalonia, while putting a lot of emphasis in the existent national pluralism of Spain and its aim that ‘the new Statute leads the way towards [a] federal horizon’ (PSC 2003: 11).¹⁵ The PSC did not demand full fiscal autonomy *à la Basque* like CiU did, and put forward a claim to review the current fiscal model assuring that the new one would grant more resources for the Catalan institutions.

The Catalan election of November 2003 was once again won by CiU, which returned 46 seats. The PSC led by Maragall fell shortly behind with 42, although the PSC won in votes by a scarce margin of 7,000. Both parties fell short of a parliamentary majority in any case and a coalition government was inevitable. The PP returned 15 seats which only added to 61 if the CiU’s representatives were counted, falling seven short of the required 68 for a majority, which meant that the agreement long favoured by Pujol could not be renewed. CiU could have kept the presidency of the *Generalitat* thanks to ERC which won 10 extra seats and returned 23.¹⁶ The success of ERC, which was the only open pro-independence party, has been linked to a response of the electorate to the PP’s centralising policies at the central government and also as a punishment to CiU for its alliance with the Spanish Conservatives (Barberà and Barrio 2006; Guibernau 2006).

However, the ERC prioritised a left-wing alliance with the Socialists and ICV, in which the warning given to CiU during the previous parliament that seeking ERC’s support in the future would be ‘too late’ was eventually confirmed. The reform of the Statute, however, notwithstanding the cooperation between the three left-wing parties

¹⁴ Author’s translation of ‘un finançament inspirat en la fórmula del concert econòmic.’

¹⁵ Author’s translation of ‘el nou Estatut avanci cap a aquest horitzó federal.’

¹⁶ The 2003 election results are available from the Catalan Government’s website, at: http://www10.gencat.cat/pls/gov_eleccions/p12.consultar_res_cat?v_tipus_eleccio=A&v_any_eleccio=2003&v_num_eleccio=1.

that had resulted in the creation of the parliamentary committee to study such a possibility, did not play a major role in the coalition negotiations. The Statute reform was ‘a commonly accepted fact and the variables that played a part were others: government and political change, democratic regeneration, etcetera.’¹⁷ Thus, the PSC candidate, Pasqual Maragall, was elected President of the Generalitat, ending CiU’s spell of 23 years in power at the sub-state level.

Discussions to draft a Statute reform proposal started in the Catalan parliament. The reform process of the 1979 Statute of Autonomy was detailed in its Article 56, which requires the approval of the proposal by a majority of two-thirds of the Catalan Parliament, then the proposal needs to be passed –and *de facto* re-negotiated– as an Organic Law in the Spanish Parliament, and finally the resulting text must be ratified by the Catalans in a referendum. The two-thirds majority is aimed at ensuring a broad consensus and the 2003 election results effectively gave CiU a veto power on the reform. Furthermore, the necessity of the reform to be passed in the Spanish parliament was not facing very promising odds given that the PP led by Aznar still controlled the Spanish Parliament with an overall majority of seats. This situation was completely reversed after the 2004 Spanish election in which the PP was ousted from power following the Madrid train bombings of 11 March, which occurred only three days before the election. The PSOE won the election, albeit short of a majority, and José Luis Rodríguez Zapatero was elected Prime Minister. The PSOE’s election manifesto included a certain positive attitude to any prospective demand for reforming Statutes of Autonomy and, without mentioning explicitly the Catalan case, conceded that ‘the PSOE will facilitate the statutory reforms that are put forward in agreement with the Constitution and backed by a broad democratic consensus’ (PSOE 2004: 59).¹⁸ Previously, in a political rally before the Catalan election in November 2003, candidate

¹⁷ Interview with ERC’s Secretary General. Author’s translation of ‘és un fet comunament acceptat i les variables que entren en joc són altres: l’alternança, el canvi polític, la higiene democràtica, etcètera’ (Ridao 2012).

¹⁸ Author’s translation of the PSOE’s 2004 election manifesto, which reads: ‘el PSOE posibilitará las reformas estatutarias que se planteen de acuerdo a la Constitución y respaldadas por un alto consenso democrático.’

Zapatero assured that he would support the Statute reform approved by the Catalan Parliament and lead on the construction of the '*España plural*' (El País, 14 November 2003).

The victory of the PSOE and Zapatero in the 2004 Spanish general election reinforced the optimism of Catalan parties in a successful outcome of the Statute reform. Even pro-independence ERC bought Zapatero's commitment to a 'plural Spain' and the Catalan secessionists gave their support to Zapatero in the Spanish parliament (Argelaguet 2006). Joan Puigcercós, which was later President of ERC and the party's parliamentary leader in Madrid at the time, affirmed in an interview that Zapatero had told him 'when he came into office during a meeting in *Moncloa* that "I will make a Spain so plural that you will not want to leave"'.¹⁹ On the other hand, the PP expressed its fears that the new Catalan Statute would endanger Spanish unity and vociferously campaigned against its reform elsewhere in Spain (van Houten 2009).

Discussions in Catalonia lasted for one-and-a-half years and a final draft was approved by the Catalan parliament on 30 September 2005. The proposal included three key points that related to three different types of demands. First, in the symbolic sphere, the proposal demanded the formal recognition of Catalonia as a nation within a plurinational Spain, alongside other cultural considerations, such as the equality of treatment of the Catalan language with Spanish. Second, in terms of authority powers, included a long list of competencies to be secured as exclusive of the Catalan institutions, in order to back off any influence from the central power. Also, other types of competences, such as shared or concurrent competences were also established, which allowed for a participation of both tiers of government in developing public policies. In a nutshell, what the proposal tried to do is to clarify the responsibilities of each level of government. Third, regarding fiscal demands, the Statute advanced the principles of the new territorial funding system, which accounted for the creation of a Catalan tax agency that would work alongside the Spanish treasury in order to levy

¹⁹ Author's translation from: 'A mi en Zapatero em va dir, quan va començar a governar, en reunions a la Moncloa, m'havia dit, diu: "Voy a hacer una España tan plural que no te querrás ir"' (Puigcercós 2012). *Moncloa* is the Spanish PM residence.

and administer all taxes raised in Catalonia; and finally, the proposal also reaffirmed the principle of territorial solidarity amongst regions, but introduced the so-called ‘ordinal principle’ –‘*principi d’ordinalitat*.’ This principle establishes that the relative position of a region’s income before the redistribution of economic resources takes place cannot be altered once the redistribution has been completed. To sum up, then, the proposal included the national recognition of Catalonia in a plurinational Spain; more powers –and more clearly delimited; and a substantial change in the funding system (Requejo 2010b).

The draft passed by the Catalan Parliament in September 2005 turned out to be quite an ambitious proposal in any case in the eyes of the PSOE and a threat to Spain’s future in the eyes of the PP. The proposal was renegotiated in the Spanish Parliament in a mixed committee consisting of representatives of both Catalan and Spanish parliaments. ‘The debates and negotiations led to a revised draft, which watered down the statute on several fronts. Most significantly, it reduced the tax shares that Catalonia can keep and it omits the clause declaring Catalonia a ‘nation.’ This version was approved by the Spanish parliament in March 2006, with the PSOE and PSC representatives voting in support’ (van Houten 2009: 180). The PSC thus completely sided with the PSOE in ‘watering down’ the content of the Statute draft, which led to criticisms from the two nationalist parties, CiU and ERC. This kind of attacks are common amongst SNRPs, which ‘will challenge statewide parties’ ethnoregionalist ‘credentials,’ and seek to portray the regional representatives of the statewide parties as puppets of the national leadership’ (van Biezen and Hopkin 2006: 15). For instance, CiU’s Secretary General claimed in an interview that the PSC ‘disappeared’ in the negotiation in the Spanish Parliament and that situation led to the only possible outcome which was CiU taking a leading role in the negotiation to close a deal on the Statute directly with the PSOE (Pujol 2012). That was achieved in a bilateral meeting between PM Zapatero and Artur Mas, the leader of CiU, in Madrid in late January 2006, which implied the acceptance of a watered down text by the nationalists.

Following the agreement between the PSOE and CiU on the final draft of the Statute, ERC voted against it in the Spanish Parliament for considering that the Catalanist parties had given up too much, and also asked people to vote ‘No’ in the June 2006

referendum to validate the Statute reform. The split between the government coalition partners led Maragall to expel ERC from the government before the referendum, which received a clear support with 73.24% of the votes, whereas the 'No' received 20.57%. However, turnout was quite low and barely reached 49%.²⁰

The PP not only had asked for a negative vote to the Statute in the referendum in Catalonia, it also challenged the law passed by the Spanish parliament to the Constitutional Court on the grounds that the new Statute was unconstitutional. Meanwhile, the expulsion of ERC from the government following the Statute episode left the PSC and ICV in a minority position in the Catalan parliament, which led Maragall to call for a snap election on 1 November 2006. Maragall was replaced as candidate by José Montilla, the PSC's Secretary General and also the Spanish Minister of Industry until right before the election. The 2006 election results did not change substantially and the leftist tripartite government was renewed.

During this second spell in government, the leftist parties focused its energy in the territorial arena on developing the principles of the new funding system contained in the Statute of Autonomy. A multilateral agreement was struck involving the autonomous communities and the central government, in which the Catalan government played a leading role. The agreement, which did not imply a significant change in the model, most remarkably delivered an increase in the percentage of shared taxes –income tax and VAT– up to 50% available to regional governments.

However, uncertainties about the final outcome of the Statute of Autonomy pending the ruling of the Constitutional Court were evident amongst the Catalan political elite. For instance, in a speech in 2007, Artur Mas argued that 'the Catalans exercised by referendum [on the Statute] their right to decide. To decide something at that precise moment on a specific issue. If the Statute does not come out of the Constitutional Court

²⁰ The 2006 Statute referendum results can be found on the Catalan Government's website, at: http://www10.gencat.cat/pls/gov_eleccions/p12.consultar_res_cat?v_tipus_eleccio=R&v_any_eleccio=2006&v_num_eleccio=1.

unmodified, the right to decide of the Catalans would be altered' (Mas 2007: 43).²¹ On 28 June 2010 the Constitutional Court published its ruling on the Statute of Autonomy, which declared 14 articles to be against the Constitution and required several others to be interpreted in a specific way. The reaction of both Catalan(ist) parties and the nationalist civil society was one of complete rejection. A demonstration was called soon after the ruling was published, on 10 July in Barcelona that gathered hundreds of thousands of people to reject the ruling of the Court. People marched under the slogan '*Som una nació, nosaltres decidim*' (We are a nation, we decide). The march was called by the Catalanist cultural organisation *Òmnium Cultural*, and the Catalanist parties, the CiU, the PSC, the ERC, and the ICV, joined in.

A new Catalan election was scheduled for November 2010 and this allowed all parties to re-position themselves on the territorial issue. A cross-party rejection of the Constitutional Court ruling nevertheless led to different territorial proposals. ERC considered the autonomy phase to be over and openly called for a referendum on independence to be held during the next parliament, emphasising that the tripartite left-wing government had already approved a referendum law (ERC 2010). CiU argued that the 'Constitutional Pact established during the transition to democracy has reached its limit, especially after the interpretation made by the Constitutional Court ruling on the Statute of 2006, which was approved by referendum by the citizenry of Catalonia. [...] [T]here is a need to change the policy we have followed until now. Catalonia's self-government is based upon its democratic and inalienable right of every nation to decide its future' (CiU 2010).

This may represent a bit of a switch of paradigm in CiU's traditional approach to territorial politics. Sorens (2008: 328) distinguishes between *regionalists* parties, which 'reject independence explicitly' even though they defend regional autonomy, greater economic resources and some regional rights; and *radical-autonomists* which, according to him, favour 'a right to independence, independence as a long-term aim,

²¹ Author's translation from the original in Catalan: 'els catalans varen exercir en referèndum el seu dret a decidir. A decidir en aquell moment i sobre un tema concret. Si l'Estatut no surt íntegre del Tribunal Constitucional, el dret a decidir dels catalans quedaria alterat.'

or far-reaching autonomy amounting to de facto independence.’ It seems that CiU’s stress of the ‘right to decide’ of the Catalans, without ruling out independence, clearly makes a difference from the times of Pujol when the independence option was openly rejected. Therefore, it could be argued that CiU moved from being a regionalist party to a radical-autonomist, following Sorens’ typology. Furthermore, the party remained ambiguous about independence in the 2010 campaign but put forward a demand for fiscal independence, that is, a new fiscal agreement akin to the Basque *concierto económico*.

The PSC’s reaction was milder and the party proposed to try to develop the Statute as much as possible, to strictly apply the funding system agreed in 2009, and to keep working in the perennial demand to reform the Spanish Constitution in a truly federal fashion (PSC 2010). However, reactions to the Court’s ruling were rather different amongst Catalan Socialists. A Catalan MP that evaluated the effects of the ruling in an interview, said: ‘[s]ome people argue from a legal point of view if the effects [of the ruling] are significant or not. I think this debate is not really interesting because what really mattered was the political and democratic perspective, because a law that had been voted by the people was later on modified by a Court, which also happened to be in certain conditions, right? [...] What really mattered was that for many people, some of them very Catalanists [...] and some others maybe a bit less, but all of them thought it was unacceptable that something that had been voted was modified. It is then when, I think, at the very, very end of the whole process, the attempt of the Statute to place the relationship between Catalonia and Spain in a different framework actually fails. It is understood as one side which unilaterally modifies the agreement we had reached.’²² However, other colleagues in the PSC and the PSOE were quite satisfied

²² Interview with a Catalan MP from the PSC. Author’s translation: ‘Hi ha gent que es discuteix des del punt de vista jurídic, si l’afectació és molta o poca. Des del meu punt de vista és un debat que no té massa interès, perquè el que va fer, o va tenir més impacte és des del punt de vista polític i democràtic, pel fet de que una llei votada per la gent va ser alterada després per un tribunal, que a més estava en unes determinades condicions, no? [...] El que sí que és evident és que per molta gent, alguns diríem molt catalanistes [...] i altres potser no tant, però en canvi, uns i altres no van considerar acceptable que una cosa ja votada doncs fos modificada. I llavors jo crec que finalment, al final, final, final de tot el procés, el que era l’intent de l’Estatut de situar en un altre terreny les relacions de Catalunya i Espanya

with the ruling. This division of opinions, which undoubtedly echoes the traditional existing division in the PSC between its factions in favour and against of Catalan nation-ness and expanded self-government would resurface bitterly since the end of the Statute process and the reinforced saliency of the territorial cleavage after 2010. In a very influent newspaper article, the then Spanish Minister of Defence and PSC parliamentary leader in the Spanish Parliament, Carme Chacón, and former Spanish PM Felipe González, argued that ‘the legal effects of the ruling on the Statute are little [...] because almost all the text has been validated.’ Furthermore, they criticised those who ‘[a]fter the Barcelona demonstration have already claimed that self-government should be put behind [and a move towards independence is required],’ while insisting that once the uproar calmed down ‘and the situation is looked at with serenity, it will be proven that there is no actual turning point’ (El País 26 July 2010). Recent events since the 2010 election seem to have proven them wrong.

3.5. The Fallout and Radicalisation of Territorial Demands: From Full Fiscal Autonomy to a Referendum on Independence

The November 2010 election delivered a comfortable victory for CiU. The Catalan nationalists returned 62 seats and thus fell only six short of an overall majority. The incumbent parties all lost seats, especially the PSC –28 seats, a loss of 9– and ERC – 10 seats, 11 less than in the last parliament. The PP returned 18 seats, its best result ever.²³ CiU’s leader, Artur Mas, argued in the parliamentary debate before being elected Prime Minister that ‘the crisis in the relationship between Catalonia and the State, clearly exemplified on the Constitutional Court ruling against the Statute, requires a redefinition of this relationship on renewed terms.’ Furthermore, he claimed that ‘the Constitutional Court has eliminated any possibility for Spain to evolve into a

de fet fracassa. Perquè és llegit com que una de les parts modifica de forma unilateral l’acord al que s’havia arribat’ (Iceta 2012).

²³ The 2010 election results are available on the Catalan Government website, at: http://www10.gencat.cat/pls/gov_eleccions/p12.consultar_res_cat?v_tipus_eleccio=A&v_any_eleccio=2010&v_num_eleccio=1.

plurinational state' and insisted that 'Catalonia has to face its own national transition.' Although this might point at a wish to Catalan independence, Mas nevertheless emphasised the necessity of reaching internal consensus. In this sense, 'the 'right to decide' [...] requires that the issues which we decide upon be sustained by strong majorities [...] so we avoid a division of Catalan society in two halves, which involves a risk of social and national breakup.' Independence was deemed to be a too divisive issue and thus CiU's renewed territorial demand was, 'following the route to this Catalan transition that we begin based on the 'right to decide,' the definition of a specific territorial fiscal system for Catalonia: a '*pacte fiscal*' [...] which generates a great consensus amongst Catalan society' (Mas 2010).²⁴

Mas also stated that the Catalan government's top priority was the economic crisis and that the demand for a new fiscal system would not be formally presented until after the forthcoming Spanish election. The election ousted the PSOE from the central government and brought the PP back in office in strength, since the PP achieved an overall majority in Congress. The clear victory of the PP ruled out the 'blackmail potential' of CiU in the Spanish Parliament, which the party was hoping to be able to exploit, as it had been done in the past, in order to bargain for the new territorial fiscal deal (CiU 2011: 138).

On 25 July 2012 the Catalan Parliament voted a resolution that 'encouraged the Catalan Government to initiate a negotiation process with the Spanish government to

²⁴ Author's translation from the original in Catalan: 'la crisi de relació entre Catalunya i l'Estat, evidenciada de manera prou clara amb la sentència del Tribunal Constitucional contra l'Estatut, que obliga a redefinir sobre noves bases l'esmentada relació Catalunya-Espanya' (p. 4); 'El Tribunal Constitucional ha tallat de soca-rel qualsevol possibilitat de fer evolucionar Espanya cap a un estat plurinacional' (p. 11); 'Catalunya ha d'encarar la seva pròpia transició nacional' (p. 11); 'el dret a decidir [...] requereix, que els temes sobre els quals s'exerceixi descansin sobre majories àmplies qualificades o reforçades [...] [i] també d'evitar dividir la societat catalana en dues meitats, amb el risc de fractura social i nacional que això comporta' (p. 11); 'en el camí de la transició catalana que iniciem, basada en el dret a decidir, la definició d'un model propi de finançament per a Catalunya: el pacte fiscal [...] [que] genera grans consensos en la societat catalana' (p. 11).

achieve a specific territorial funding system for Catalonia during 2012.’²⁵ This model should include, most remarkably, the management of all tax-related activities through the newly established Catalan Tax Agency –‘*Agència Tributària de Catalunya*,’ the transfer of full normative capabilities on taxes to the Generalitat; a bilateral negotiation to decide the amount to be paid to the State for the services that the latter provides in Catalonia and the amount of interregional solidarity; and, finally, the maintenance of the so-called ‘ordinal principle’ in terms of interterritorial solidarity that was mentioned above (Parlament de Catalunya 2012c: 3). The resolution was endorsed by CiU, ERC, and ICV, thus achieving a clear majority. The PSC supported parts of it. The Socialists considered that the reform of the territorial fiscal system was necessary, but rejected the formula of full fiscal autonomy (Parlament de Catalunya 2012b).

After the parliament’s vote, Mas was set to meet the Spanish PM and PP leader, Mariano Rajoy, to discuss the proposal. Before the meeting, though, on 11 September 2012, Catalonia’s national day, a demonstration organised by the *Assemblea Nacional Catalana* (ANC) (Catalan National Assembly), a civil society organisation that lobbies for independence, gathered more than one million people in Barcelona marching under the clear-cut pro-independence slogan of ‘*Catalunya, nou estat d’Europa*’ (Catalonia, new state of Europe). The massive demonstration marked the political agenda during the week before the Mas-Rajoy summit, which took place in Madrid on 20 September.

In an interview two days before the meeting between the two political leaders, the Secretary General of CiU was quite pessimistic of Rajoy’s answer to the demands of the Catalan Parliament, partly because ‘the fiscal agreement akin to the *concert econòmic* has little margin for negotiation; [...] it is not about the content of the proposal but about the timing [of implementation].’²⁶ The position of CiU was therefore to negotiate for the acceptance or rejection of the model and avoid long discussions about money transfers or tax shares, which had traditionally characterised

²⁵ Author’s translation from the original in Catalan: ‘El Parlament de Catalunya insta el Govern de la Generalitat a iniciar un procés de negociació amb el Govern espanyol per a assolir un model de finançament propi per a Catalunya, dins d’aquest any 2012.’

²⁶ Author’s translation of: ‘el contingut de la proposta del pacte fiscal en la línia del concert econòmic no té massa marge de negociació [...], el marge no és tant dels continguts, sinó del temps’ (Pujol 2012).

previous negotiations on the reform of the fiscal system. Rajoy rejected the proposal and Mas admitted that there was no willingness in the central government to concede the Catalan demand for full fiscal powers. Mas faced a debate a few days later in the Catalan Parliament and argued that the new fiscal agreement was CiU's main proposal to better satisfy the accommodation of Catalan demands in Spain. Given that he thought that option had no chances of success, and taking into account as well the popular mobilisation in favour of independence, he called for an early election in which CiU would put forward a demand to hold a referendum on Catalonia's constitutional future. According to Mas, 'the project of the fiscal agreement has not been perceived by the central government and the state institutions as a good opportunity to renew the relationship between Catalonia and the rest of the state and to counterbalance the increasing fatigue [in Catalan society]. The fiscal agreement has not been perceived as a solution, but as a problem.' He assured that 'Rajoy told me to take the fiscal agreement to the Spanish Parliament [...] and my answer was no, because I would not allow to go through another [process like the Statute reform] and through another humiliation. This time the Spanish Parliament will not vote, this time the Catalan people will vote;' and, after announcing a new parliamentary election, he put forward CiU's new proposal by stating that 'this Parliament has voted more than once that Catalonia has a right to self-determination. It is time to execute this right, democratically, peacefully, in a constructive manner.'²⁷ The substantial change in CiU's demands inevitably focused the election campaign on territorial issues, especially on the prospects of a constitutional referendum and the outcomes of independence.

²⁷ Author's translation of parts of Mas' speech in the Catalan Parliament on 25 September 2012. 'El projecte de Pacte Fiscal no s'ha entès pel Govern central i per les institucions estatals com una bona oportunitat per refer la relació entre Catalunya i la resta de l'Estat i capgirar la fatiga creixent. El Pacte Fiscal no s'ha vist fora de Catalunya com una sol·lució, sinó com un problema' (p. 3); 'Rajoy em va dir que portés el Pacte Fiscal a les Corts [...], la meua resposta va ser no, perquè no estava disposat a passar per un nou via crucis i una nova humiliació. Aquest cop no votarà el Congrés, aquest cop votarà el poble de Catalunya' (p. 34); 'Aquest parlament ha votat en més d'una ocasió que Catalunya té dret a l'autoderminació. Ha arribat l'hora d'exercir aquest dret. De manera democràtica, pacífica, constructiva' (p. 35) (Mas 2012).

The electoral manifesto of CiU did not mention the word ‘independence,’ albeit the party’s aim was clearly stated: ‘[w]e want to build up a broad social majority so that Catalonia can have its own state in the European framework’ and committed the ‘next Catalan government to promote a consultation during the next parliament so the people of Catalonia can decide, freely and democratically, its collective future’ (CiU 2012).²⁸ Not surprisingly, ERC, as long-term independence claimants, welcomed CiU’s demand for a constitutional referendum. However, taking for granted that the Spanish government would not willingly deliver it, the party did not rule out the possibility of a unilateral declaration of independence from the Catalan Parliament (ERC 2012).

Finally, the PSC also responded to the high saliency of the referendum debate during the campaign and the party, while rejecting independence, also included the necessity of a referendum to be held as a way to solve the constitutional question. The Catalan Socialists’ openly demanded ‘the renewal of the constitutional agreement through a federal construction’ of Spain, arguing that ‘the federalist alternative is the only one able to implement an equilibrated institutional system in which Catalonia remains a part of Spain without forsaking its identity.’ This would be achieved through ‘a constitutional reform that will recognise Spain as a plurinational, plurilingual, and pluricultural state which will guarantee Catalan national identity, its specificity within Spain through [...] its language, culture, civil law, and self-government institutions.’ The constitutional reform proposal would also include a clearer delimitation of competencies for the central and sub-state governments, a renewed Senate, and a mixed Catalan-central state tax agency that would administer all taxes levied in Catalonia, while guaranteeing solidarity with other regions albeit observing the ‘ordinal principle’ amongst them in terms of how much they give and receive.

This proposal of constitutional reform was to be considered, according to the PSC, alongside a constitutional referendum, albeit the purpose of it remained rather ambiguous. The PSC electoral manifesto stated that ‘the citizens of Catalonia will have

²⁸ Author’s translation from the original, which reads: ‘Volem construir una majoria social àmplia perquè Catalunya pugui tenir un estat propi dins del marc d’Europa’ (p. 12) and ‘el proper Govern de la Generalitat impulsarà una consulta la propera legislatura per tal que el poble de Catalunya pugui determinar lliurement i democràticament el seu futur col·lectiu’ (p. 13).

to freely decide on any substantial proposition of change in the relationship between Catalonia and Spain, which has to be agreed between both Catalan and Spanish institutions, through a referendum with a clear question [...] to accept or reject the project under discussion' (PSC 2012).²⁹ It is not clear whether this referendum would be on independence or rather to ratify a prospective constitutional reform proposal,³⁰ but in any case the three parties, CiU, ERC, and PSC, alongside with ICV, are considered to back some sort of constitutional referendum. On the other hand, the PP and *Ciutadans* (C's) opposed any form of consultation.

The November 2012 election result delivered the confirmation of a substantial change in the Catalan party system. CiU won the election as usual but lost 12 seats, returning 50 and thus 18 short of an overall majority. The PSC lost its traditional runner-up position –in number of seats– for the first time, being surpassed by ERC with 21 seats, which levelled its 2006 results. The PSC returned 20 MPs and was closely followed by the PP, which received an additional seat and increased its share to 19. The ICV returned 13 and C's trebled its results and returned 9 seats.³¹ This left an open scenario in which CiU had to look for an ally to secure a parliamentary majority. Due to the

²⁹ Author's translation from the original in Catalan: 'és el moment de renovar el pacte constitucional a través de la construcció federal'; 'L'alternativa federalista és l'única capaç d'articular un sistema institucional equilibrat, en el qual Catalunya formi part d'Espanya sense renunciar gens a la seva identitat' (p. 5); 'La reforma que proposem reconeixerà Espanya com un Estat plurinacional, plurilingüístic i pluricultural i garantirà el reconeixement de la identitat nacional catalana, de la seva singularitat dintre d'Espanya, [...] que es manifesta especialment en la seva llengua, la seva cultura, el seu dret civil i les seves institucions d'autogovern' (p. 7); 'els ciutadans i les ciutadanes de Catalunya hauran de decidir lliurement sobre qualsevol proposta de canvi substancial de les relacions entre Catalunya i Espanya, acordada entre les institucions catalanes i espanyoles, a través d'un referèndum en el qual es plantegi una pregunta clara [...], acceptant o rebutjant el projecte sotmès a consulta' (p. 10).

³⁰ In this sense, while the PSC leaders are open to consider a referendum if it is agreed with the central institutions, the PSOE leader stated that the only possible way for the Catalans to vote is through a reform of Spain's constitution. He said: 'I want the Catalans to vote. I want them to vote a reform of the Constitution and then a new Statute [of Autonomy].' Also, he added that amongst the two options of 'voting to break-up and voting to be together,' the Spanish Socialists would only accept a vote on the latter (La Vanguardia, 25 October 2013g).

³¹ The 2012 election results are available from the Catalan Government's elections website, at: http://www10.gencat.cat/pls/gov_eleccions/p12.consultar_res_cat?v_tipus_eleccio=A&v_any_eleccio=2012&v_num_eleccio=1.

emphasis that the campaign had placed on the referendum, the PP and the PSC rejected supporting Mas unless he withdrew his demand for a referendum and the pursuit of independence, so the ground was ripe for an agreement with ERC. This agreement was formalised on 19 December 2012 and included the commitment of ERC to support the government of CiU –ERC would not formally enter a coalition– and also the remarkable commitment of both parties to ‘call for a consultation so the Catalan people can decide on the possibility of Catalonia being a State in the European framework’ (CiU and ERC 2012: 2, Annex 1).³²

On 23 January 2013 the Catalan Parliament voted a resolution entitled ‘The Declaration of Sovereignty and the ‘Right to Decide’ of the People of Catalonia’ which declared that ‘the people of Catalonia has, due to reasons of democratic legitimacy, the character of a sovereign political and juridical subject’ and accordingly will exercise its right to decide its future through ‘a negotiation with the Spanish State, the European institutions and the international community;’ while ‘using all the existing legal frameworks to effectively [...] exercise the right to decide’ (Parlament de Catalunya 2013a).³³ The resolution was passed by CiU, ERC, ICV and another MP from a minority pro-independence party, thus numbering 85 votes in favour, a majority of 17. The PSC voted against the resolution because, according to the PSC’s Secretary General, ‘the Declaration of Sovereignty was not included in the PSC’s election manifesto and the agreement needed to be based on the ‘right to decide’;’ and criticised CiU and ERC for ‘declaring sovereignty first, and asking the citizens of Catalonia later.’ He further argued that the fact ‘that the Catalan Parliament unilaterally declares the sovereignty of the people of Catalonia is to promote independence, thus making any eventual consultation unnecessary’ (Navarro i Morera 2013: 44).³⁴ The PSC voted

³² Author’s translation from the original: ‘Convocar una consulta perquè el poble de Catalunya es pugui pronunciar sobre la possibilitat que Catalunya esdevingui un Estat en el marc europeu.’

³³ Author’s translation from the original in Catalan: ‘El poble de Catalunya té, per raons de legitimitat democràtica, caràcter de subjecte polític i jurídic sobirà’; ‘es negociarà amb l’estat espanyol, amb les institucions europees i amb el conjunt de la comunitat internacional’; and ‘S’utilitzaran tots els marcs legals existents per a [...] l’exercici del dret a decidir.’

³⁴ Author’s translation from the original speech in Catalan: ‘aquesta declaració de sobirania no forma part del programa electoral del PSC i que l’acord s’havia de fomentar en el dret a decidir’; ‘vostès opten per declarar la sobirania, primer, i per preguntar als ciutadans i les ciutadanes de Catalunya després’;

against the declaration, although five of its twenty MPs from the most Catalanist faction decided not to cast a vote on the grounds that the party's election manifesto supported the Catalan people's right to decide. This episode emphasised the highly divisive nature of this issue within the PSC.

In any case, the Declaration of Sovereignty was immediately challenged by the Spanish government to the Constitutional Court on the grounds that it clearly violated the Spanish Constitution. This episode very clearly exemplified the position of the Spanish government related to the demand of the Catalan political parties to hold a referendum on independence, which is considered unconstitutional and accordingly the central government has rejected so far any initiative leading to the holding of a constitutional referendum.

This section has highlighted the latest episodes concerning Catalan territorial demands. As the above lines suggest, this is still an ongoing process and the Catalan parliament's will to hold a constitutional referendum faces complete opposition from the Spanish government; which assures that constitutional tensions in Spain will keep being high in the near future. For the purposes of the analysis, the evolution of Catalan territorial demands will cover until the commitment of a majority of the Catalan Parliament to hold a constitutional referendum in Catalonia.

4. Conclusion: The Dynamics of Territorial Demands in Catalonia

The above lines discussed the evolution of Catalan territorial demands contained in five phases. In order to explain the change from one phase to another, one can consider party competition dynamics, territorial management strategies, and public preferences for constitutional reform.

'Que el Parlament de Catalunya declari de forma unilateral la sobirania del poble de Catalunya és apostar per la independència, fent sobrerera qualsevol consultar posterior al respecte.'

In terms of party politics, the PSC's commitment to reform the Statute challenged CiU's territorial strategy of bargaining at the centre; and also assured that ERC, which was on the rise due to the PP's centralist-oriented policies, would support the PSC in demanding such a reform. CiU's produced more assertive demands while in opposition while trying to cast doubt on ERC's pro-independence credentials and emphasise the support that the secessionists were giving to the PSC, and consequently to the PSOE. A Statute reform was nevertheless agreed by CiU in Madrid; and even though its scope had been considerably watered down by the PSOE government, the reform was ratified by the Catalan people in a referendum. However, CiU did not recover power as the party expected after the 2006 Catalan election and kept raising the profile of their demands from the opposition, especially regarding fiscal autonomy. CiU, having reasserted its territorial demands while in opposition could not go back to its traditional moderate position, especially after facing rising public support for independence, constant mobilisation from the Catalanist civil society, and the electoral threat of ERC.

Territorial management also has an effect on territorial demands. The demand for a reform of the Statute of Autonomy was a direct consequence not only of party competition in Catalonia, but also of the centralising policies implemented by the PP after 2000 when the support of CiU in Madrid was no longer necessary. The radicalisation of Catalan territorial demands after 2010 followed the Constitutional Court's ruling that declared some articles of the new Statute of Autonomy unconstitutional. Finally, the rejection of full fiscal autonomy by the central government led CiU to continue the escalation of territorial demands by proposing a referendum on independence, which seems to be widely supported by the Catalan population according to several polls (CATN 2013). The actions of central institutions therefore have also had an impact on the political parties' framing of their territorial demands, and seem to reinforce the dynamics of demand-response-demand introduced at the beginning of this chapter.

Last, but certainly not least, the mass mobilisations against the Constitutional Court's ruling on the Statute in 2010 and the pro-independence March of 2012 indicate that the public also contributes to influence the actions and strategies of political actors, as

the swift call for a snap elections by PM Mas after the 11 September demonstration suggests.

The next two chapters will look into the role of these three factors, namely, party politics, central state territorial management, and public opinion and mobilisation, in influencing the evolution of political parties' territorial demands in the last two phases of Catalan self-government that have been defined: the Statute reform process and the evolution towards a framework of the 'right to decide' and Catalan sovereignty.

Chapter 5. Party Competition as the Driver of Territorial Demands in Catalonia

1. Introduction

This chapter aims to explain the political dynamics that have led to an escalation of Catalan territorial demands. The symmetric regionalisation scheme deployed in the so-called *Estado de las Autonomías* has not satisfied the main Catalan political parties, which initially backed an expansion of autonomy and a recognition of Catalan distinctiveness through a reform of the Statute of Autonomy. After this process of Statute reform ended controversially with the Constitutional Court's ruling that modified the text that had been approved by the people of Catalonia in a referendum, Catalan nationalist parties exacerbated their demands by introducing a new concept on the political agenda based on the Catalans' 'right to decide' their political future, that is, that Catalans should be able to decide which form of territorial organisation they prefer for their country. This 'right to decide' paradigm was used by CiU after the party's victory in the 2010 election when they campaigned for full fiscal autonomy for Catalonia, which was nevertheless rejected by the Spanish government, and led to a further escalation of territorial demands in the form of a cross-party backed referendum on Catalonia's constitutional future. Even the PSC formally backed a referendum although only if it was agreed between both the Catalan and Spanish institutions. The party made it clear though that it would reject independence if the referendum is eventually delivered, while it also insists on a federal reform of Spain's Constitution to accompany the demand for a referendum.

In this chapter, the effect of political party competition as the main driver of territorial demands in Catalonia is analysed. Party competition in Catalonia involves two different dimensions. First, in a similar token to other stateless nations, party competition exists between State-wide and stateless nationalist parties. This competition is clearly exemplified in Catalonia regarding CiU and ERC on one hand, and the PSC on the other. SWPs in stateless nations confront relatively strong SNRPs that will challenge their sub-state credentials and might force SWPs to assume some

of the nationalists' positions on the territorial cleavage in order to be electorally competitive amongst an electorate that tends to be in favour of the empowerment of the sub-state tier of government (Elias 2011; Fabre 2008; Hepburn 2009; Libbrecht, Maddens, and Swenden 2013; van Biezen and Hopkin 2006). The effects of this type of electoral competition have also resulted in internal organisational changes for SWPs, which tend to give more autonomy to regional party branches in order to better accommodate the particularities of electoral competition in the sub-state context (Detterbeck and Hepburn 2010; Fabre and Méndez-Lago 2009; Swenden and Maddens 2009). In this sense, the case of the PSC in Catalonia has been largely described as paradigmatic. The party holds a semi-independent status from the Spanish-wide PSOE that provides for almost complete autonomy on internal Catalan matters, albeit maintaining the ties with the Spanish central party organisation (Deschouwer 2006; Fabre 2011; van Houten 2009). The specific episodes of party competition between the PSC on the one hand, and CiU and ERC on the other, influenced the shaping of territorial demands in Catalonia, especially regarding the Statute reform as will be argued in the second section of this chapter.³⁵

The third section will argue that competition between SNRPs also increases territorial demands. In a scenario where (at least) two SNRPs compete against each other, a moderate and electorally more successful party will be put under pressure by a relatively smaller party but with more radical territorial aims (Newman 1997). This scenario clearly fits the Catalan case with a moderate, ruling CiU facing the pro-independence ERC in opposition until 2003 (Marcet and Argelaguet 1998). SNRPs,

³⁵ The Partido Popular (PP) will take a minor part in the analysis as it has normally espoused a committed defence of the territorial status quo, also in Catalonia, due to its centralist and unitary view of Spain (Fabre 2008; Hopkin 2009; Maddens and Libbrecht 2009). Moreover, its traditionally lower electoral influence –compared to the PSC– has limited the relevance of the party in Catalan politics. The party in Catalonia has recently reacted to the demand for a referendum on independence by putting forward a counter-proposal based on a 'singular' funding system for Catalonia. Although this confirms the tensions and dynamics between SWPs' central leadership and regional branches in stateless nations pointed out above, it is worth mentioning that such a proposal was radically rejected by the central PP leadership when the Catalan leader presented it in Madrid (*La Vanguardia*, 8 October 2013f). The escalation of Catalan demands up to the holding of a Constitutional referendum have led the Catalan PP to introduce some counteroffers, but the level of internal tension with the party's state-wide leadership remains far lower than that of the PSC with the PSOE.

especially those in opposition which support radical constitutional change, including independence, have been described as ‘parties that adhere to the democratic rules of the game, but prefer to exert pressure on policies only from the opposition,’ in what has been labelled as a ‘tribune strategy’ (De Winter 1998b). Arguably, being in opposition makes it easier for a party to demand independence than carrying it through while being in government. Therefore, entering government might suppose a crucial dilemma for these parties (De Winter 1998a; Elias and Tronconi 2011), especially if a compromise needs to be reached with other parties to form a coalition that will inevitably lead to a watering down of the party’s ambitious territorial aims.

As it will be shown in the analysis of party competition in Catalonia, the government and opposition role of the parties is more crucial than their initial moderate or radical stance on constitutional change. When ERC entered a coalition government in 2003 alongside the PSC and the ICV, they had to put down their aim of independence and compromised on the demand to reform the Catalan Statute of Autonomy. During the Statute reform negotiations, and beyond, CiU, which was in the opposition, considerably raised its constitutional change proposals thus following their particular ‘tribune strategy’ in order to put ERC in an uncomfortable position in front of its pro-independence voters. The increase on the ambitiousness of CiU’s territorial demands –including the ambitious scope of the new Statute of Autonomy and their demand for it to include full fiscal autonomy– while in opposition made it politically unviable to abandon this kind of demands once the party got back to power in 2010. As for ERC, their coalition experience with the PSC has been regarded, as we shall see, as a failure by the party leadership and, following a split in the party –i.e. *Reagrupament*, see below– and the appearance of *Solidaritat Catalana* (SCI) as a single-issue party that advocated unilateral independence, the party also ‘radicalised’ its territorial position and made it clear that they would not pact again with the Socialists. This whole process –alongside the spectacular electoral recovery of ERC in 2012– flattened the ground for the pro-referendum agreement between CiU and ERC after the 2012 Catalan election. Albeit the two parties had had bitter disagreements, electoral competition between them eventually led them to put forward a territorial demand they could both agree on: a referendum on independence.

2. Party Competition in Catalonia

2.1. Competition between SWPs and SNRPs

One of the main characteristics of SNRPs is that they aim at the empowerment of the sub-state institutions in their home territory and portray themselves as the best representatives of the sub-state nation's interests (De Winter 1998a; van Biezen and Hopkin 2006). Thus, SWPs competing in stateless nations must adapt to regional-specific party competition in order to combine the specificities of the particular territory to a wider coherence across the state. One of the strategies to achieve that aim is to grant autonomy to sub-state party branches in order to provide for more flexibility and adaptation to the relevant issues at the sub-state level (Detterbeck and Hepburn 2010; Fabre 2008; 2011). Thus, when SNRPs put forward demands for constitutional change, SWPs need to consider responses to these challenges and a way to proceed is to put forward some proposals for constitutional change of their own (Swenden and Maddens 2009), which may lead to conflicts with their party colleagues in the central party leadership or in party branches in other regions. This conflicts may arise when constitutional change from a specific region is regarded with scepticism for a lack of will to reform the system from the central level or for the concerns from party members in less self-assertive regions that constitutional change may lead to formal asymmetries and thus a concession of privileges to the region seeking further constitutional powers (Sorens 2009).

Party competition may therefore result in an escalation of territorial demands on aggregate terms, since parties will put forward the issue of constitutional change in the political agenda, which in turn will be challenged with other proposals by other parties, but will remain a salient topic of competition between them. Although it is widely assumed that it will be SNRPs who will put forward the most ambitious reform proposals, SWPs may in some cases be more assertive just to undermine the nationalists' claim that the latter better represent the regions' interests. In fact, this is the starting point of our analysis regarding the Catalan case in which the Catalan Socialists initially put forward the demand to reform the Statute of Autonomy while the nationalists of CiU were not pushing for such an outcome because of their

parliamentary agreement with the centralist-minded PP. Hence, the example of the PSC clearly shows that SWPs do in fact use the territorial cleavage to compete and undermine their nationalist opponents.

2.1.1.The PSC: A strong ‘regionalist’ State-wide Party

The relationship between the PSC and the PSOE has been a highly debated topic in the literature. The PSC is regarded as a highly autonomous branch of the Spanish socialists, formally constituted as a separate political party that enjoys almost full autonomy regarding Catalan domestic affairs and that nevertheless is involved in the governance of the PSOE at the state-wide level, with PSC members participating in the central party decision-making bodies (Fabre 2011; Swenden and Maddens 2009; Thorlakson 2009; van Houten 2009); while some other authors have stressed the independence of the PSC from the PSOE, classifying it as a completely separate, non-state-wide party and defining the PSOE governments in Spain as government coalitions between the PSOE and the PSC (Barrio et al. 2010). In spite of the particular definition of the two parties’ relationship, it is undeniable that the PSOE and the PSC have close ties and share similar interests in spite of some important differences that they have had in the past and still have, which concern above all territorial politics and the state’s territorial structure. Accordingly, it seems appropriate to treat the PSC as the PSOE’s representative in Catalonia.

The PSC’s autonomy *de facto* increased after the PSOE lost power at the central level in 1996, which led to former PM Felipe González to step down and to a quest for a new leadership which allowed in parallel the regional party branches to act more autonomously (Hopkin 2003). This new scenario was followed by the appointment of Pasqual Maragall as the PSC’s candidate to the Catalan *Generalitat*, which was regarded as being closer to the Catalanist positions and a strong defendant of furthering Spain’s federalisation process (van Houten 2009).

Maragall led the PSC to its best result in the 1999 Catalan election in which the party received more votes than CiU, although the nationalists were able to keep Pujol as Catalan PM thanks to the electoral system –CiU received more seats, see figure 1– and

the parliamentary support of the Catalan PP. Maragall's position was strengthened in spite of not achieving power in Catalonia, whereas the new PSOE leadership suffered an astonishing setback in the 2000 general election, which resulted in the PP achieving an incontestable majority in the Spanish Parliament. This precipitated another leadership contest within the PSOE, in which the PSC and Maragall supported José Luis Rodríguez Zapatero. The election of the latter as the leader of the PSOE opened up the possibility for a renewed vision of Spain, one which would further recognise its internal pluralism regarding languages, cultures, and nationalities. The Zapatero victory in the PSOE leadership introduced the rhetoric of the "*España plural*" –plural Spain– and Maragall and the PSC decided to invest and exploit that through a proposal to reform the Catalan Statute of Autonomy.

This substantial movement of the PSC's regarding Catalan self-government was also due to internal Catalan politics, with the CiU rejecting to reform the Catalan Statute due to its agreement with the PP and the then opposition parties, the PSC, the ERC and the ICV looking forward to extend Catalonia's self-government. Thus, as a leader of the ERC put it, 'the PSC tactically modifies its position because they thought Esquerra would put forward [the Statute reform] as a condition [to establish a government coalition], and also because the PSC's state-wide counterpart also changed its view on the issue' of self-government.³⁶ The PSC's tactical movement to put forward the Statute reform was eventually matched by CiU, which supported the reform as well while forsaking the agreement the party had with the PP. This cross-party support for the Statute reform was positively received by the PSOE, with Zapatero promising to accept the reform proposal if he was elected Prime Minister after the next Spanish election, as it eventually happened.

The promise of the Socialist candidate Zapatero was rather vague and the scope of the reform that the PSOE leadership had in mind was far more moderate indeed than the reform proposal voted in the Catalan parliament on 30 September 2005. The

³⁶ Interview with former ERC secretary general. Author's translation from the original: 'políticament el PSC varia la seva actitud sobre els seus electors perquè tàcticament està pensant que Esquerra eventualment li posarà aquesta condició, i també perquè diguem el seu referent estatal ha canviat la seva actitud.'

negotiations between the Catalan parties that led to the reform proposal reflected the tensions between the nationalist parties, CiU and ERC, on the one hand, and the PSC –and also ICV– on the other, about how far the reform proposal should go. Thus, CiU and the ERC had enough votes in the parliamentary committee to put forward ambitious demands that put the Catalan Socialists in an uncomfortable position because the nationalists’ aims on certain issues would most surely be unacceptable for the PSOE. As a leading negotiator of ERC put it, CiU ‘radicalised its positions to put Esquerra in an uncomfortable position towards its voters. Thus, a political competition takes place within the parliamentary committee [...] so the PSC finds it difficult to follow up with the committee’s proposals and *Convergència i Unió* and *Esquerra* have a majority in the committee to establish certain proposals’ which eventually resulted in ‘a highly ambitious reform proposal that made the PSOE profoundly uncomfortable and Zapatero’s pledge to accept the Statute approved by the Parliament impossible to fulfil.’³⁷ The demands that clearly exemplified the nature of the conflict were CiU’s intention to introduce a system of full fiscal autonomy for Catalonia, in which the Catalan institutions would be able to collect and administer all taxes in the country and the inclusion of the ‘historical rights’ –‘*drets històrics*’– of Catalonia, implying that Catalonia had a historical right to self-government, previous to the Spanish Constitution, and so Catalan self-government was not granted by the Constitution, but merely recognised by it (Ferret Jacas 2011).

The tensions around the proposal for the fiscal system lasted until the debate in which the Statute reform proposal was approved in September 2005, and the final debate clearly shows the emphasis that CiU put in achieving a system of full fiscal autonomy akin to the Basque ‘*concierto económico*.’ This was opposed by the PSC which defended a reform of the current system with expanded tax-sharing capacities and

³⁷ Ibid. Author’s translation from the original: ‘Convergència i Unió [...] va ser intentar desbordar per la banda catalnista, intentar radicalitzar les seves posicions [...] per incomodar Esquerra davant del seu electorat. Amb la qual cosa s’estableix una competició en termes polítics dins de la ponència [...] de tal manera que al PSC li dificulta seguir els treballs de la ponència, de tal manera que Convergència i Unió i Esquerra tenen prou majoria dins la ponència per arrencar determinats compromisos.’ ‘[E]fectivament aixequen el llistó de l’exigència i fa que el PSOE estigui profundament incòmode, de tal manera que aquell compromís de Zapatero d’acceptar l’Estatut que aprovés el Parlament, en aquell moment era impossible’ (Ridao 2012).

more authority on tax regulation. The CiU leader, Artur Mas, referring to this fiscal proposal, argued that ‘it is not us [...] who need to read the Spanish Constitution in a restrictive way. [...] It is not for us, as representatives of the Catalan people, to lower down our expectations. Experience shows, and you all know that very well, that the limits will be put on us from outside, because limits have always been put on us from outside; so there is no need for us to help set those limitations.’³⁸ Similarly, also during the same debate, Mas’ party colleague Mr Felip Puig argued that other parties had supported full fiscal autonomy but they were not willing to include it in the statute because of the PSC, and ultimately the PSOE. He argued that ‘*Convergència i Unió, Esquerra Republicana* and *Iniciativa per Catalunya* want the ‘concert econòmic’ [full fiscal autonomy]. [...] What has happened in one-and-a-half years to those parties that defended that in their election manifestoes but they do not do so today?’ and challenged those who claimed full fiscal autonomy to be against the Spanish Constitution to point out the article that prevented Catalan institutions ‘to aspire to a finance system akin to the ‘concert econòmic’.’³⁹

The resulting proposal voted in the Catalan parliament included a fiscal system that would entail Catalonia to have full autonomy in tax collection and regulation, through the creation of a mixed agency involving the Spanish central treasury and a newly created Catalan treasury. The PSC was suspicious of this system and presented amendments to it, although the party supported the reform overall to facilitate its passing, albeit keeping the amendments for the forthcoming negotiation in Madrid (Colino 2009). Hence, the PSC gave up on opposing full fiscal autonomy because they

³⁸ Mas’ speech during the Statute reform parliamentary debate. Author’s translation from: ‘[N]o som nosaltres [...] els que hem de fer lectures restrictives de la Constitució espanyola [...]. No ens correspon, com a responsables i directes representants del poble de Catalunya, aplicar-nos rebaixes nosaltres mateixos des de dintre de casa. L’experiència ens demostra, i tots vostès ho saben molt bé, que les limitacions ens vindran des de fora, perquè sempre ens han vingut des de fora; no cal que hi ajudem des de casa mateix en aquest procés’ (Mas 2006 [28 September 2005]: 31).

³⁹ Felip Puig speech during the Statute reform parliamentary debate. Author’s translation from: ‘Convergència i Unió, Esquerra Republicana i Iniciativa per Catalunya defensen el concert econòmic. [...] Què passa, en un any i mig, que avui hi ha partits que en el seu programa electoral defensaven i avui no defensen aquesta interpretació, aquesta proposta?’ and ‘[e]m poden llegir quin article, literalment, que diu que Catalunya no pot aspirar a tenir un model de finançament assimilat al concert econòmic?’ (Puig 2006 [28 September 2005]: 47-8).

relied on the PSOE doing it anyway during the Statute reform negotiation in Madrid, as it eventually occurred.

The double negotiation process of the reform, in the Catalan and Spanish parliaments, allowed the PSC to keep silent in front of the nationalist parties' high expectations on fiscal autonomy because they trusted the PSOE would do the 'dirty job.' In the central parliament phase of the negotiation, the PSC 'disappeared' (Pujol 2012), although the party justified that low profile precisely on the dual character of the negotiation, where the PSC was relevant in Catalonia and the PSOE took charge in Madrid (Iceta 2012). However, this strategy resulted in the Catalan parliament's proposal to be quite ambitious and any outcome of the Statute after the central parliament's say on the reform could be perceived as a 'watered down' Statute. As detailed in the previous chapter, this turned badly for the PSC since ERC rejected the outcome of the Statute and was subsequently expelled from the Catalan government, which led to the PSC and ICV to be left in a minority government and to a snap election to follow only a few months after the Statute was ratified by the Catalan people in the June 2006 referendum.

During the Madrid phase of the negotiation, though, CiU had to lower down its ambitions and settle for a 'watered down' reform. The party, which had been ousted from power in 2003, built up on the low-profile role of the PSC during the later stages of the Statute negotiation and struck a deal with the PSOE leadership to support CiU to recover office at the Catalan level after the next election. This was exemplified by the PSOE pressure to remove Pasqual Maragall as the PSC candidate to the *Generalitat* and a commitment from the PSOE to promote a CiU-PSC coalition in Catalonia (van Houten 2009). However, CiU did not make significant wins in the 2006 election and saw the PSC renewing the coalition agreement with the ERC and ICV under the presidency of José Montilla, who was regarded as a less Catalanist leader than Maragall and closer to the PSOE leadership—he had in fact been a minister in the first Zapatero government up until a few months before the Catalan election. This episode marvellously exemplified the long claimed full autonomy that the PSC enjoys vis-à-vis the PSOE and which is constantly criticised by the party's competitors (van Biezen and Hopkin 2006). The links between the Statute final negotiation and the government

coalition formation after the 2006 election were plainly explained by a member of the PSC's leadership in an interview, in which he explained that

*'the expectations of Convergència were that they would be in office after [the Statute reform], even with the support of the PSC. So, their attempts that Pasqual [Maragall] would not run again, that they closed the deal [on the Statute], [and] also opinion polls showed they were far ahead... They thought that developing the new Statute would depend on them because of the election results, but also because of their crucial role in the negotiation and, if needed, with the PSC's support because there was this thesis, highly shared in Madrid as well, that said that if the two parties [CiU and PSC] had brought forward the new Statute, so its development should rely on these two parties too. The PSC somehow does not accept that. It does not accept it and argues that it has a more strategic vision of leftist governments and therefore if the possibility exists, the party will do it. So, against the PSOE's position, the PSC re-edited the [coalition] agreement. Also, there was the issue of the replacement of Pasqual [Maragall] and the way this happened... Since the PSC leader [Montilla] was running as candidate and the election results allowed the coalition to be re-built, the fact is that renouncing to do it was especially complicated.'*⁴⁰

Once the Statute was approved and the new elections kept CiU in opposition, the territorial debate in Catalonia focused on the negotiation of the new financial system, which was a mandatory condition of the newly approved Catalan Statute. CiU urged to design a specific fiscal model for Catalonia (CiU 2008) and eventually rejected the outcome of the 2009 fiscal system reform for not even reaching the indications outlined in the Catalan Statute of Autonomy. In the run up to the 2010 Catalan election,

⁴⁰ Interview with Miquel Iceta, former PSC member of the party leadership. Author's translation: 'les expectatives de Convergència era que ells governarien després, i fins i tot, fins i tot potser amb el PSC. És a dir, els seus intents de que el Pasqual no es tornés a presentar, ells tancar l'acord, de que sempre les enquestes els hi donaven per davant. Per tant, pensaven que el desplegament estatutari els hi correspondria a ells per raó de les urnes, però per raó també del seu protagonisme en el fet i, en tot cas, si ho necessitave, diríem amb el PSC, perquè hi havia una tesi que a Madrid era també molt compartida, de dir, bueno, si els dos partits hem fet l'Estatut, pues el futur també l'hem de fer aquests dos partits. I mentre doncs el PSC d'alguna manera no, no accepta això no. No accepta això i diu, no, no, jo tinc una visió més estratègica de governs d'esquerres i per tant si hi ha la possibilitat ho faré, no? I per tant, i en contra de la posició del PSOE, doncs el PSC va reeditar el pacte. També pel PSC hi havia un tema d'alguna manera, com la substitució del Pasqual va anar com va anar i com va anar, doncs home, ja que es feia el primer secretari del PSC era el candidat i que el resultats permetien reeditar el govern, doncs renunciar a fer-ho era, en fi era molt especialment complicat' (Iceta 2012).

just a few months after the Constitutional Court ruling on the Statute had been published, CiU put forward the new paradigm of the Catalans' 'right to decide' and the demand for what they had already looked forward a few years before during the Statute negotiation: full fiscal autonomy, which the party labelled as a 'fiscal pact' –'*pacte fiscal*'– between the Catalan and Spanish institutions. The CiU's 2010 election manifesto read that the party 'supported the right to decide the level of self-government that the Catalan people wants and claims;' while 'placing as one of the top priorities of this right to decide the complete administration of our economic resources through a specific funding system, such as the '*concert econòmic*.' We aspire to financial sovereignty [...] but also to more political sovereignty and more self-government capacities' (CiU 2010: 82).⁴¹ The PSC, facing an election campaign that would feature its coalition partner, ERC, openly campaigning for a referendum on independence after the Constitutional Court's ruling on the Statute (ERC 2010), adopted a much more moderate approach than CiU during the campaign, claiming to 'recover' the parts of the Statute that had been declared unconstitutional through specific legislation; and, regarding the fiscal issue, the party declared its willingness to defend the recent fiscal model approved in 2009 and to demand the fulfilment of the state's commitment to reduce Catalonia's indirect money transfers to other regions; as well as its long-standing claim to propose a federal reform of the Spanish constitution (PSC 2010).

The victory of CiU in the 2010 election led to the resignation of José Montilla both as PSC party and parliamentary leader. With CiU back in power, the nationalists have been able to set the political agenda, which from the perspective of territorial politics implied the discussion and negotiation of full fiscal autonomy for Catalonia during the 2010-2012 period. Since then, the PSC has adopted several counterproposals in reaction to CiU's main territorial demands. The late attitude of the PSC more accurately resembles the SWPs' strategies devised in the literature on how SWP

⁴¹ Author's translation from the original in Catalan: 'apostem pel dret a decidir per assolir les cotes d'autogovern que el poble de Catalunya reclama i necessita.' 'Situem com una de les primeres prioritats d'aquest dret a decidir la gestió plena dels nostres recursos econòmics a través d'un model de finançament propi, com ho és el concert econòmic. Aspirem a la sobirania financera al servei de més benestar per als catalans i d'un millor progrés econòmic, però també per disposar de més sobirania política i més capacitat d'autogovern.'

branches need to adapt to region-specific contests (Deschouwer 2006; Detterbeck and Hepburn 2010; Thorlakson 2009). The PSC has followed suit CiU's demands in its form, but moderating the ambitiousness or content of such demands. Two clear examples will illustrate this pattern, the debate on full fiscal autonomy and the most recent scenario of the demand for a referendum on self-determination for Catalonia.

First, regarding fiscal autonomy, the PSC claimed that CiU was putting forward a very ambiguous and unconstitutional proposal, which would generate frustration amongst the citizenry because it would not be possible to achieve. Also, the Catalan Socialists argued that the late fiscal reform of 2009 was in itself a 'fiscal agreement' between the central government and Catalonia (PSC 2011). Although the 2009 reform was led by the Catalan government following the Statute reform, it was yet another multilateral agreement between the central government and the 15 Autonomous Communities of the common fiscal regime (Herrero Alcalde, Ruiz-Huerta Carbonell, and Vizán Rodríguez 2010). The Catalan Parliament voted a resolution to demand full fiscal autonomy which was widely supported by a clear majority, and the PSC voted in favour of some aspects of it and abstained in others. For instance, the party endorsed the claim that Catalonia contributes too much to interregional solidarity and that the so-called 'ordinal principle' between regions should be observed, and that a new fiscal system was needed based on Catalonia's full decision-making capacity on taxes. However, the party did not endorse the most substantial part of the resolution which demanded the creation of a separate Catalan Tax Agency with full responsibilities on tax administration in Catalonia (Parlament de Catalunya 2012a).

Second, after the proposal for full fiscal autonomy was completely rejected by the Spanish government, Catalan President Mas called for a snap election in which CiU campaigned for a referendum for Catalan voters to decide whether Catalonia was to have its own state, following the demand for independence of the one million-strong demonstration in Barcelona on 11 September 2012. The PSC again matched the demand of the nationalists, this time for a referendum on the constitutional status of Catalonia, albeit making it clear that the party did not support Catalonia's independence. The party put forward a somewhat more detailed proposal to reform the Spanish Constitution in a federal way, albeit emphasising that the 'citizens of

Catalonia will have to decide freely about any substantial proposal aimed at changing the relationship between Catalonia and Spain, agreed between the Catalan and Spanish institutions, *through a referendum with a clear question and a clear answer*, accepting or rejecting the proposed project' (PSC 2010: 10, emphasis added).⁴² Thus, the PSC is formally in favour of a constitutional referendum in Catalonia, although it does not provide a clue whether the vote would be on independence or on something else; for instance, on the party's proposed reform of the Spanish Constitution. The party leadership has kept supporting a referendum to take place, although making it crystal clear that it has to be agreed with the Spanish central government.

The PSC even presented its own resolution to the Catalan Parliament stressing the need for the referendum to be negotiated with the Spanish government, following a previous resolution that had declared Catalonia a 'sovereign political subject,' which the PSC failed to support –see previous chapter. The PSC-sponsored resolution demanding a referendum received 104 votes out of 135 in the Catalan Parliament, thus adding the PSC to the wide cross-party support for a constitutional referendum in Catalonia (Parlament de Catalunya 2013b). It is also important to note that the PSC had supported a similar resolution a few weeks before in the Spanish Parliament that did not go through due to the thorough opposition of both the PP and the PSOE. However, the PSC MPs voted differently from the PSOE for the first time –except for the parliamentary leader, Mrs Carme Chacón, who did not take part on the resolution vote (La Vanguardia, 26 February 2013b). This episode led to a severe crisis between the PSC and the PSOE, reflecting on the effects that the territorial question and the pressures of nationalist parties have in internal SWPs relations.⁴³ The PSC is putting

⁴² Author's own translation from the PSC's 2012 Catalan election manifesto: 'els ciutadans i les ciutadanes de Catalunya hauran de decidir lliurement sobre qualsevol proposta de canvi substancial de les relacions entre Catalunya i Espanya, acordada entre les institucions catalanes i espanyoles, a través d'un referèndum en el qual es plantegi una pregunta clara a la qual s'hagi de respondre de forma inequívoca, acceptant o rebutjant el projecte sotmès a consulta.'

⁴³ A similar episode occurred again on 28 October 2013 when the Spanish Parliament debated a motion presented by the '*Unión, Progreso y Democracia*' (UPyD), a small, state-wide party that emphasises Spain's unity and rejects any concession to the peripheral nationalisms. The resolution read that the 'right to decide belongs solely to the Spanish people as a whole' and that 'under any circumstance may a faction of the people decide on the territorial organisation of the state.' The resolution was backed by its promoters, the PP, and the PSOE, while the MPs of the PSC abstained, thus voting differently than

pressure on the PSOE to accept a referendum on Catalonia, but the Spanish Socialists are not willing to accept this as a possibility. However, the PSC is insisting that the PSOE should sponsor a federalist reform of Spain's Constitution, which the PSOE has started to debate internally (PSOE 2013).

2.1.2. Victim of its own strategy: the PSC playing the regionalist card triggered more radical demands

The territorial question has been vivid in the political agenda in Catalonia (Guibernau 1997; 2000b; Keating 2001a). This has remained so in the last decade, and SWPs have engaged in the territorial debate as much as the nationalist parties. In the early 2000s the PSC, led by Catalanist leader Pasqual Maragall, put forward a reform of the Statute of Autonomy of Catalonia to use the Catalan self-government card against the incumbent CiU, which was tied up by the Spanish PP on the promise of not demanding such a reform. This coincided with a leadership crisis in the Spanish-wide PSOE which led to the election of Zapatero, who favoured a more pluralistic vision of Spain and was enthusiastically backed by the PSC to lead the PSOE. Furthermore, the PSC would probably need support from other parties to oust CiU from the Catalan government. The pro-independence ERC would demand a substantial step forward in Catalonia's self-government, so to put forward a Statute reform was a good investment to secure the ERC's eventual inclusion into a coalition government.

The PSC led a tripartite coalition with ERC and ICV and CiU was left in opposition, although the nationalists remained a crucial veto player for the Statute reform to succeed. CiU increased its demands, most notably demanding a model for full fiscal autonomy to be included in the Statute reform, to put pressure both on the PSC and ERC, and therefore aiming at breaking up the government coalition. After pressuring the PSC by setting a wide scope for the Statute reform, CiU ended up striking a deal with the PSOE that 'watered down' the Statute's content and pressured to assure that

the PSOE a second time in the Spanish Parliament because of their disagreement on the position towards a constitutional referendum in Catalonia (La Vanguardia, 29 October 2013h).

the PSOE would force the PSC to support CiU in government after the next election, which took place after the Statute was passed and the government coalition had broken up due to the expulsion of ERC for rejecting the outcome of the Statute reform. However, the 2006 election left CiU an extra four years in the opposition in which the party kept demanding the promised new fiscal system and the transfers that the central government had agreed to, especially regarding the funding of infrastructures in Catalonia –the third additional clause of the new Statute.

In the wake of the Constitutional Court's ruling on the Statute and facing crescent public support for independence, CiU put forward a demand for full fiscal autonomy to compensate for the Statute deception. The PSC, again in opposition, has been following CiU's demands since, although moderating their scope. When CiU demanded full fiscal autonomy, the Socialists agreed that a new system was needed, although it could not be specially designed for Catalonia. Later on, when CiU put forward the demand for a referendum on independence, the PSC supported a constitutional referendum, although emphasising that the only way this can be delivered is through an agreement with the Spanish government.

Competition between SWPs and nationalist parties has triggered Catalan demands on aggregate terms. The PSC kick-started formal constitutional reform by demanding a reform of the Statute of Autonomy, which CiU followed suit. In later stages, the PSC has been following, albeit with significant reservations, CiU's territorial demands for expanded fiscal autonomy and ultimately for a constitutional referendum. This attitude contrasts the straightforward rejection of further territorial demands and the thorough defence of the status quo posed by the PP, the other SWP operating in Catalonia, and the C's –technically a regional party but claiming to represent Spanish-wide interests in Catalonia. The position of the PSC, which puts them in line with its Catalanist tradition, enlarges the cross-party consensus for further demands in Catalonia, exemplified by the clear majorities in the Catalan parliament supporting first a new fiscal system for Catalonia in 2012 and a constitutional referendum –with the terms yet to be clearly defined– in 2013. Furthermore, with a majority of public opinion in favour of a constitutional referendum to take place in Catalonia, according to several opinion polls (CATN 2013), it is complicated for the PSC, which aims at being the

party that better represents the Catalan people, to side with the PP and the C's in opposing a referendum.

It has been shown in this section that the attitude of the PSC towards a Statute reform helped moving the position on the issue of the CiU. Also, it has been showed how the PSC has been following the CiU's re-positioning on the territorial debate. The latter's territorial vision has changed considerably in the last decade, though, as it was detailed in the previous chapter, ranging from the neglect to reform the Statute of Autonomy to demanding a referendum on independence in just a decade. CiU has also suffered fierce competition from another nationalist party, ERC, which has been supporting Catalan independence since the early 1990s. The effect of competition between nationalist parties on the aggregate territorial demands in Catalonia is what we turn our attention to in the next section.

2.2. Competition between Stateless Nationalist Parties: CiU against ERC

Political decentralisation constitutes a new arena for politics to take place, which not only in sub-state nations but also in regions with non-differentiated identities may provide incentives for the creation of regional or regionalist parties (Hamann 1999; Heller 2002). SNRPs' primary goal is to represent and stand for the interests of their respective sub-state community (De Winter 1998a), and usually the best way to do so is to achieve office at the sub-state level (Jeffery and Hough 2003). Once political decentralisation is achieved, SNRPs may seek to extend the levels of autonomy of their homeland's sub-state institutions (Fabre and Martínez-Herrera 2009), an objective that may be given extra strength and legitimacy if it is demanded from the sub-state governments, which serve both as a platform to legitimise and publicise further territorial demands (Elias and Tronconi 2011; Jeffery 2009a). In some cases a plurality of SNRPs coexist and several of these parties gain seats in the sub-state parliament. The literature on SNRPs has emphasised the heterogeneousness of this kind of political parties regarding both their ideological positions and their territorial aims (De Winter 1998a; De Winter, Gómez-Reino Cachafeiro, and Lynch 2006; Hepburn 2009; Massetti 2009). The latter category is especially relevant in this research. Competition

between SNRPs may be based on different positions on the constitutional status of the sub-state nation, ranging from ‘regionalist’ parties that aim at extending the range of competencies and powers of the sub-state institutions but do not put into question the state’s territorial integrity; to ‘radical-autonomists,’ which do not rule out independence in principle, although prefer to aim to far-reaching autonomy in the short term; to ‘independentist’ parties that seek to break away from the parent state and their homeland territory to become an independent country (Sorens 2008).

In contexts where parties with two different territorial aims compete against each other, if one party loses ground in terms of votes to another party with a different policy, there might be an incentive for the first party to approach the latter’s policy position. The combination of votes, policy, and office helps explaining political parties’ behaviour (Strøm 1990). In a nutshell, the combination of electoral switch, territorial policy changes, and alternation in office clearly sheds light on the pattern of competition between CiU and ERC in Catalonia during the last decade. The competition between the two parties has also been reinforced by the left-of-centre position of the ERC versus the right-of-centre approach of the CiU. However, the relationship between incumbency and electoral results may explain change on party policy preferences, particularly regarding each party’s constitutional desired aim. This pattern of competition started even before the Statute reform process. ERC adopted, after successive leadership crises, a clear position in favour of Catalonia’s independence in 1992, and a leftist discourse in order to avoid being perceived as just ‘the radical wing of CiU’ (Argelaguet 2006: 148; Marcet and Argelaguet 1998). These policy changes were followed by modest electoral gains during the mid- and late-1990s, and the republicans achieved its best result ever in the 2003 election, returning 23 MPs in the Parliament (see figures 3 and 4). The 2003 election coincided with the first spell of the ERC in government thanks to the tripartite coalition alongside the PSC and ICV.

2.2.1. Government-opposition dynamics: Being in opposition boosts territorial demands

The tripartite coalition meant the passing of CiU into the opposition, so Catalan politics remained the same in a particular way: one nationalist party was in government and another one was in opposition. Accordingly, the territorial issue would keep being prominent in the debate between government and opposition, as it had been before. Sub-state nationalist parties in opposition have often been regarded as usual employers of ‘tribune strategies’ (De Winter 1998a), that is, to heavily rely on playing the nationalist card while in opposition in conjunction with mobilisation strategies, such as demonstrations and other kinds of protest actions. However, often the claims made in opposition are difficult to achieve once the party gains office, especially in a coalition government in which the nationalists are but a junior partner. Therefore, sub-state nationalist parties face the dilemma of entering government or not, with the former allowing them to influence policy albeit with some important limitations compared to the political claims launched while they were in opposition (Elias 2009; Elias and Tronconi 2011; Tronconi 2012).

ERC provides a clear-cut example of this phenomenon. The party supports Catalan independence and, despite its successful result in the 2003 election, the aim of independence was a chimera given the minority position of ERC in parliament and the fact that their senior government coalition partner was the PSC. A government coalition with CiU, which was also arithmetically possible, would not have brought the ERC’s desired goal either, since majority Catalan nationalism, represented mostly by CiU, had traditionally rejected independence (Guibernau 1997; 2003; Keating 1997; 1998b). Indeed, the reasons behind ERC’s decision to choose the Socialists instead of CiU were mainly based on the perceived necessity of government change after 23 years of conservative CiU governments, the strength of the leftist profile of the party leadership which favoured a left-wing government, and the perceived humiliating attitude that CiU had showed ERC during the previous years marked by CiU’s agreement with the PP (Ridao 2012; Simó 2012).

ERC was committed to reform the Catalan Statute, which they initially interpreted as a gradualist strategy towards independence. As a former secretary general of the party describes it,

*'the Statute is not a scenario of rupture of the state, first and foremost because Esquerra does not have a majority. Second because the reform requires a wide social and political consensus, therefore it does not seek independence, what it seeks is to take advantage of the interpretative margins within the Constitution and to take advantage of the most favourable doctrine of the Constitutional Court during the phase in which the Court was more in favour of autonomy.'*⁴⁴

And he also added that

*'[f]rom a political point of view, what are Esquerra's calculations? Honestly, Esquerra knows that it will be difficult, almost impossible for this project to be successful, because we knew it was extremely difficult to overcome the Spanish views [on self-government]. We supported the reform because it was a joint government project and it was a 'sort of test' ['la prova del cotó']: If it goes well, [excellent!]; and if it goes wrong, well, then it was the last attempt to show that the accommodation [of Catalonia] was unviable. And we were perfectly conscious that this was the most likely scenario given the attitudes of the two main Spanish parties.'*⁴⁵

During the negotiation of the Statute, as it has been already said, the competition between both nationalist parties made tensions to be high in the parliamentary

⁴⁴ Interview with the ERC's secretary general. Author's translation from: 'l'Estatut no és un plantejament rupturista amb l'estat, primer perquè Esquerra no té majoria, així de clar, segon perquè necessita un ampli consens polític i institucional, i per tant la reforma no és una reforma independentista, és una reforma que va en la línia d'aprofitar al màxim tot el potencial i el marge interpretatiu de la Constitució i a partir d'aquí també aprofitar sobretot la doctrina més favorable del Tribunal Constitucional en la seva etapa més pro-autonòmica' (Ridao 2012).

⁴⁵ Ibid. Author's translation from: 'Des del punt de vista polític, quin és el càlcul que fa Esquerra? Honestament, Esquerra sap que és difícil, per no dir gairebé impossible que això acabi anant endavant, entre altres coses perquè és conscient de la dificultat de saltar la paret, sobretot diguem-ne a nivell espanyol [...] nosaltres inicialment l'aposta estratègica per un nou Estatut té a veure amb la col·laboració amb uns socis de govern i té a veure també amb el que no nosaltres eufemísticament dèiem 'la prova del cotó': És a dir, si anava bé, de 'puta mare,' i si no anava bé era l'enèssim intent per demostrar la inviabilitat de l'encaix. I nosaltres, t'he de dir la veritat ja érem conscients al principi de la dificultat, per no dir la inviabilitat d'això, sabent diguem-ne quina és l'actitud dels dos principals partits a nivell d'estat.'

committee that drafted the reform, since CiU put forward demands that were never put before while the party was in government, such as a new fiscal system based on the Basque model. This had the clear intention, as we said, of increasing the tensions between the PSC and ERC to provoke a break-up of the government coalition (Colino 2009). The PSC gave up to the most controversial points put forward by CiU, with the support of ERC, on the hope that the negotiation in Madrid would eventually drive the PSOE to reject the higher claims –mostly involving fiscal autonomy and Catalonia’s national recognition. Indeed, during the process in the Spanish parliament, the PSOE rejected and modified many parts of the Statute, although the competition between ERC and CiU to negotiate bilaterally with the PSOE continued. As described above in length, the PSOE struck a deal with CiU which included the rejection of any other amendments proposed by ERC, so CiU would appear as the bargaining party that got the best deal achievable (see Colino 2009; Ridao 2012, previous chapter).

After a lengthy internal process of discussion, Esquerra ended up rejecting the reformed Statute in the Spanish Parliament, and consequently supported a ‘No’ vote in the June 2006 referendum, which forced the party’s expulsion from the Catalan government (van Houten 2009). Soon after, the new election late in 2006 left ERC yet again in a pivotal position, with the party choosing to repeat the leftist government coalition with the PSC and ICV. Bitterness towards CiU outweighed the bitterness towards the PSC for having expelled them from the previous government, and the ERC decided to keep on the truncated job in government due to the Statute reform process. According to the then secretary general of the party, three reasons justified the decision taken by the party leadership:

‘First is that the experience with Maragall failed and the oldest generation [of the party leadership] puts a lot of pressure to be back to government. The second cause was the ‘treason’ of Convergència for striking a [bilateral] deal with Zapatero and [thus] they do not deserve to be in government. Third is that we should keep developing the political project we first started with Maragall which was halted by the Statute divergences.’ Furthermore, he insisted on the attitude of CiU during the Statute negotiation. ‘[W]e knew what to expect of the PSC, we knew the role they played during the Statute process, but also the role played by Convergència i Unió. Sometimes we consider that the PSC was more honest than Convergència i Unió, which had raised [their demands on the scope of the Statute] to eventually reach an

agreement in Madrid.’ ‘Because I have a theory [...] that there was a previous pact between Convergència and the PSOE. Zapatero and Mas agreed, even before we voted the Statute reform in the Catalan parliament, to expand the scope of the reform here and to lower it down there [...]; and the second thing was that if [CiU] got more votes in the next election, [they would] take office and you [PSOE] keep your fellows quiet. This was the agreement. So we revolt against this agreement between Mr Mas and Mr Zapatero and if the PSC offers us [a coalition] agreement, then we take it.’⁴⁶

Competition between the two nationalist parties thus prevented a change in the government coalition, in spite of President Maragall’s decision to expel ERC from the government before the referendum on the Statute. According to a former ERC minister, there was resentment in ERC against Maragall for his decision, especially because he was seen as ‘the most Catalanist leader’ in the PSC, but a new opportunity is grasped by ERC in the second tripartite government due to ‘the leadership change in the PSC and our willingness to finish the job and to start a new phase; not to forget about self-government but to [...] control and keep an eye from the government on the development of the new Statute.’⁴⁷ This prospect looked better than to giving the Catalan government back to CiU. The rivalry between the CiU and the ERC made any agreement between the nationalists very difficult, according to the then Secretary General of ERC, especially since ‘the [election] campaign that *Convergència* did was

⁴⁶ Interview with the former Secretary General and President of ERC. Author’s translation from: ‘La primera experiència amb el govern Maragall és fallida, i aquesta generació, més gran diguéssim, pressiona molt per tornar al govern. Hi ha una segona causa que és dir, escolta, Convergència ens ha traït pactant amb el Zapatero, i no és just que Convergència ara estigui al govern. I tercera és que hem de poder seguir fent el projecte polític que teníem ja encapçalat amb el Maragall i que tot el procés estatutari ens ha escapat.’ ‘Perquè jo tinc la teoria, i ho sé, el que passa que no ho puc demostrar perquè no hi era, de que hi havia un pacte previ amb Convergència i PSOE abans d’aprovar-ho aquí. És a dir, Zapatero i Mas pacten abans d’aprovar-se al Parlament de Catalunya l’Estatut. [...] Hi ha un acord de dir, tu apuja aquí i ja el baixarem allà. I pacten això. Deixa-me’t pujar aquí, diu Convergència i Unió, jo te l’abaixaré allà, i la segona cosa que acorden és bueno, dir, però jo si tinc més vots a les properes eleccions, convocarem eleccions, jo governo i tu em neutralitzes els teus. I aquest és el pacte. Per això, esclar, nosaltres ens rebelem contra aquest pacte i diem, escolta, perdona, que el Senyor Mas i el Senyor Zapatero hagin pactat, si el PSC ens diu de pactar doncs nosaltres [ERC] pactem’ (Puigcercós 2012).

⁴⁷ Interview with a former ERC Catalan minister and party spokesperson. Author’s translation from: ‘el líder més catalanista’; and ‘un canvi de cap de llista al PSC i hi ha una voluntat de poder acabar una feina que va quedar estroncada i de poder encetar alguna etapa nova. No per deixar enrere l’autogovern, sinó per intentar, per una banda, controlar al màxim o estar vigilants des del govern al desenvolupament d’aquell Estatut’ (Simó 2012).

so... so aggressive towards us that it did forsake any possibilities for an agreement.’⁴⁸ The harshness of CiU’s election campaign towards the PSC and ERC was duly admitted by a senior party official of CiU, which argued that ‘the way we attacked the government, we do it very negatively [...] and back then there was no [economic] crisis.’ ‘We were very tough in the content and in the ways we criticised them. We were angry, offended, that was too evident. And the elections, after the Statute [reform], the tripartite coalition had been broken and the three parties could redefine their discourses separately. So we could criticise their government action, but [we] did it in a really negative manner; [...] and besides we were attributed an embarrassing role, which was the agreement between Mas and Zapatero.’⁴⁹

After re-establishing the government coalition, the ERC focused on the new funding system which was introduced on the new Statute. Meanwhile, CiU, in the opposition, duly criticised the government on the success of the funding system negotiations, alongside other perceived grievances of the PSOE government, which were blamed on the PSC, as the PSOE’s ally, and on the ERC, for supporting the PSOE. This phase coincided with the first adoption by CiU of the rhetoric of the ‘right to decide’ and the rising concerns that the Constitutional Court’s ruling on the Statute would restrain even further the contents of the newly approved autonomy charter (Mas 2007). Also, the criticisms of CiU heavily rose political tensions between government and opposition, and between the Catalanist parties and the PSOE government in Madrid. ‘The PSOE acted very disloyally with the PSC, by increasing the number of hours of Spanish language lessons in school, by not compelling to the agreements on infrastructure

⁴⁸ Interview with the former Secretary General and President of ERC. Author’s translation from: ‘la campanya que havia fet Convergència era tant... tant agressiva amb nosaltres que no predisposava un terreny d’acord’ (Puigcercós 2012).

⁴⁹ Interview with the former Secretary General of CiU. Author’s translation: ‘El que passa que l’actitud amb la qual nosaltres ataquem, et recordo que no hi ha crisi ni hi ha res, eh? Ataquem la dinàmica del govern, nosaltres ho fem amb molta negativitat.’ ‘[N]osaltres érem molt durs en els fons, i sobretot, més que en els fons, gairebé, el que ens traïa molt era una dinàmica de forma. Nosaltres estàvem enfadats, ofesos, això se’ns notava molt. Però encarem aquestes eleccions amb això, amb un Estatut, amb totes les seves problemàtiques, amb un tripartit partit, per tant ells poden re-situar-se cadascun amb el seu discurs, i ens quedem amb un discurs contra la gestió del tripartit, però en les formes sempre havíem estat molt negatius. Aquí som protagonistes, però sens atribueix un protagonisme vergonyant, el pacte Mas-Zapatero’ (Pujol 2012).

investments, with the implementation of the funding system [...]. *Convergència* in the opposition played its cards in a way that heavily tensed the situation, [...] but they acted in a disloyal way too, because everything [we achieved] was nothing for them,’⁵⁰ reflected a senior official and former member of the Catalan government from ERC.

The ruling of the Constitutional Court on the Statute forced a re-positioning of the nationalist parties, which perceived the ruling as humiliating. *Esquerra*, faced already with one split and the appearance of another pro-independence party, made a move towards more ambitious territorial aims, demanding a referendum on independence as a pre-condition to any prospective coalition agreement (ERC 2010). The Constitutional Court’s ruling on the Statute, which triggered the 1-million strong march in Barcelona on 10 July 2010 under the banner ‘We are a nation, we decide’ confirmed the relevance of the territorial question on the electoral agenda and ERC put all its efforts on trying to capitalise on the growing public discontent with Madrid. However, two other straightforward pro-independence parties run in the 2010 election. These two parties, *Reagrupament*, a split from ERC, and the newly created *Solidaritat Catalana per la Independència* (SCI), which also included some former members of ERC, tensed the competition among the pro-independence voters, and ERC put more emphasis on its commitment to independence and downplayed the role played in office. The agreement with the PSC was seen as not having implied any substantial steps towards the achievement of independence and thus, also given the fierce competition for the independentist voters, set the party candidate to officially claim that another coalition agreement with the PSC would not be sought.

However, the strategy pursued by ERC in the 2010 to focus its message on the Court’s ruling on the Statute of Autonomy and the demand for a self-determination referendum was criticised by a senior party member afterwards. He argued that

⁵⁰ Interview with the former Secretary General and President of ERC. Author’s translation from: ‘el PSOE jugava de forma deslleial amb el PSC, amb el tema de la tercera hora de castellà, amb temes d’infraestructures, d’inversions, amb compliment del mateix model de finançament.’ ‘Convergència a l’oposició tenia les seves cartes, i va jugar a tensar molt la situació [...]. Però Convergència va jugar molt deslleialment, perquè tot era poc’ (Puigcercós 2012).

‘there was a strategic mistake by candidate Joan Puigcercós on the design of the election campaign because the issue of self-government indeed had an important role on the political agenda, but at that time the people’s concerns were not the Statute, in spite of the 10 July and the demonstration, but the economic crisis, and government and political change. In this scenario, the most logical thing to do was to give priority to economic issues.’

He believed that what was needed to be done instead was

‘to claim the good job done in the government, while putting it alongside other horizons such as the issue of the independence referendum. Curiously, the candidate and the leadership of Esquerra at that time try to take advantage of the Constitutional Court’s ruling and the grievance feelings it generated, the 10 July [demonstration], and put forward a big offer, which was the referendum, and that strategy clearly failed.’⁵¹

Indeed, ERC saw its representatives cut by half (from 21 MPs to 10) and CiU benefited from the combined losses of the government parties, the PSC and ERC, to secure a comfortable position in Parliament, albeit slightly short of an overall majority.

The same party official attributed the electoral defeat, aside from the strategic mistake to prioritise the independence issue above economic concerns, three other causes, while emphasising the fierce competition on territorial issues that the ERC faced. He claimed that the party’s ‘voters did not have a positive impression of the second tripartite government coalition and did not value *Esquerra*’s contribution to other issues like those of a more social nature [...]. Second, *Convergència* again extraordinarily radicalised its positions and after having agreed on a low-profile Statute flies the banner of the funding system. Third, there has been an atomisation

⁵¹ Interview with the former Secretary General of ERC. Author’s translation from: ‘hi ha un error de plantejament per part del candidat Joan Puigcercós en el disseny de la campanya electoral perquè efectivament el tema de l’autogovern ocupa un lloc destacat a l’agenda, però en aquest moment la jerarquia de preocupacions dels mortals no està al tema de l’Estatut malgrat el 10 de juliol i la manifestació, sinó que està a la crisi econòmica i al canvi i l’alternança política. I davant d’aquest escenari lu lògic era prioritzar aspectes de caràcter econòmic’; and ‘positivitzar la feina feta al govern, fent-ho compatible amb altres horitzons, com el tema de la consulta per la independència. Curiosament, el que fa el candidat, i la direcció d’Esquerra en aquest moment és intentar optimitzar el tema de la sentència del TC, i cavalcant sobre la crispació que genera tot plegat sobre el 10 de juliol, al voltant d’una gran oferta, d’un gran esquer, que és el tema de la consulta, i fracassa estrepitosament’ (Ridao 2012).

process of Catalan independentism and new options appear and *Esquerra*, which is a government party, has problems competing with these other parties, because [ERC] lacks its own distinctive discourse to satisfy voters that have become more radicalised.’

These three factors added to the party’s own strategic choice in the campaign to account for the party’s defeat, while he also stated that CiU, on the one hand, ‘offered first a government change, and thus to oust the current coalition; second, the issue of the [new] fiscal agreement; and third, socio-economic proposals. So they combined three factors. On the other hand, Joan Puigcercós, [...] sets the economic crisis aside, [and] he believes the issue of the fiscal agreement is, so to say, ‘nothing,’ compared to a referendum.’⁵² *Esquerra* had to fight against the effect of incumbency in a context of a nascent economic crisis while being perceived by its voters as not having delivered enough regarding the desired outcome of independence through its alliance with the Catalan Socialists; and at the same time faced competition from two fronts with competitive proposals on territorial grounds. CiU put forward the demand for a new fiscal agreement akin to the Basque system of full fiscal autonomy, apart from its long tradition of being a government party, and the most-likely scenario after the election that they would lead the next executive in a strong position. On the other hand, the two minor pro-independence parties focused almost exclusively on independence and were serious candidates to attract the most radical voters of ERC.

In the 2010 election aftermath CiU came back to government and set up a calendar to put forward the demand for a new fiscal deal, although the severity of the economic crisis initially put economic measures as the government’s top priority (Mas 2010).

⁵² Ibid. Author’s translation from: ‘el nostre electorat no valora positivament el segon tripartit i no passa en valor l’executòria d’Esquerra en altres qüestions, de caràcter social, etcètera, etcètera, dos, Convergència torna a radicalitzar extraordinàriament les seves posicions i després d’haver pactat l’Estatut ara pues agafa com a bandera i com a gran esquer el tema del finançament. Tres, crec que hi ha hagut un procés d’atomització de l’independentisme i apareixen noves opcions emergents i això, i Esquerra, que és un partit de govern, li costa competir en discurs propi i a l’hora de complimentar un electoral més radical’; and ‘una oferta primer pel canvi, per fer fora els que hi ha i posar-se en el govern; dos, amb el tema del pacte fiscal; i tres, amb propostes de caràcter socio-econòmic. Per tant combina els tres factors. I en canvi, Joan Puigcercós, i ho personalitzo amb ell perquè és un desig i una voluntat molt concreta d’ell com a candidat, aparca la crisi econòmica, el tema del pacte fiscal li sembla, per entendre’ns, una ‘mariconada,’ perquè si estàs per una consulta no estàs per no sé què’ (Ridao 2012).

Also, since the new proposal had to forcefully be negotiated with the central government, CiU wanted to gain some time by waiting until the next Spanish election took place. Meanwhile, the electoral defeat of ERC led to a full leadership renewal and an analysis of the situation. The new party president argued that the strategy followed so far based on left-wing coalitions had not been understood by many voters as bringing independence closer. The main aim, according to him, was ‘to pull the [...] Catalan Socialist Party, which was the main centre-left party, through a left-of-centre government in order to pull the [PSC] to increasing the social and political majority which would aid the transition of the country towards a pro-independence majority.’ This strategy, especially after the reform of the Statute process ended in the way it did, ‘seemed not to deliver the desired objectives, [...] which led many people to think that the strategy was wrong.’ He also added that ERC did not forsake its aim of independence, as the other minor pro-independence parties had claimed, but that it could not deliver it simply because of its junior partner status in the government: ‘the independence option was not viable because *Esquerra* did not have enough representation, we did not have a majority to proclaim independence; and the leftist values, on the other hand, were backed by a majority [in the government] and therefore they were implemented. So the leftist elements were more relevant than the independentist elements precisely because the leftist elements were backed by other parties that shared them and represented a majority, while the independentist elements were not shared by anyone else and therefore [ERC] could not implement them on its own, but I do not think that the party had forsaken the aim at all.’⁵³

⁵³ Interview with ERC’s party president. Author’s translation from: ‘en un moment determinat va intentar arrossegar el partit majoritari del centre-esquerra a Catalunya, que era el Partit Socialista de Catalunya, amb l’esperança que si sumava aquest partit, que era el majoritari del centre-esquerra, si feia un govern de centre-esquerra, doncs l’arrossegaria cap a aquesta majoria social i política i afavoriria el trànsit de la majoria del país, cap a una majoria independentista’; ‘el fet que l’estratègia que seguia no semblés que donava els objectius que es buscaven, és a dir, no s’avançava en el camí que es buscava, va fer que molta gent pensés que l’estratègia estava equivocada’; and ‘el valor independentista no es podia portar a terme perquè Esquerra no sumava prou, no tenia prou majoria per proclamar la independència, i en canvi els valors de l’esquerra sí que hi havia una majoria que en sumava prou per intentar-los aplicar. I per tant, van destacar més els elements esquerranosos que els elements independentistes precisament perquè els elements esquerranosos hi havia altres partits que els

In its renewed role in opposition, the ERC decided to commit to the CiU's government demand for full fiscal autonomy, and eventually voted in favour of the demand to be formally posed to the Spanish government during the summer of 2012. Albeit short of independence, full fiscal autonomy would be a considerable step forward for Catalonia's self-government and, unlike the party's refusal to support the new Statute of Autonomy after it was modified in the Spanish parliament, the ERC adopted a progressive approach to independence and backed the demand introduced by CiU.

The former president of ERC, which remained as parliamentary leader after the 2010 election, argued in an interview, while discussing CiU's proposal of full fiscal autonomy a few days before the parliamentary resolution was voted, that 'we cannot give priority to a party strategy instead of a situation which I think is good for the country. The fact that *Convergència* makes a step forward is not a problem of electoral competition, it is good for the country. So we, if *Convergència* goes on with this, will be on their side [...]. No one would understand that *Esquerra* voted against *Convergència*'s demand to keep all our taxes. Look, this is good for us. It is not what we want, but it is good for us.'⁵⁴ The support of both nationalist parties to the demand for full fiscal autonomy achieved therefore a majority of support in the Catalan parliament, strengthening its legitimacy accordingly. The new leadership of ERC was satisfied that the CiU was putting forward more substantial territorial demands. This represented a change from the previous leadership of ERC, which, while the party was in government, saw the demands put forward by CiU as mere opportunistic in its attempts to outbid ERC and portray them as conformists in order to maintain power through its alliance with the Catalan Socialists.

compartien i que feien majoria absoluta, i els elements independentistes no els compartia amb ningú i per tant no els podia aplicar tota sola, però en cap cas jo crec que hi hagués renunciat' (Junqueras 2012).

⁵⁴ Interview with the former Secretary General and President of ERC. Author's translation from: 'el que no podem és supeditar una estratègia més de partit o més tàctica a una situació que jo crec que és bona pel país. És a dir, que *Convergència* faci un pas endavant no és un problema de competència electoral, és bo pel país. I per tant nosaltres, si *Convergència* fés aquest pas estarem al costat [...]. Ningú entendria que *Esquerra* votés en contra de que *Convergència* demana quedar-se tots els impostos, escolti, ja ens va bé. No és el que volem, però ja ens va bé' (Puigcercós 2012).

The new president of ERC plainly stated this thought in an interview, arguing that ‘*Convergència i Unió* perceived that a way to attack the [tripartite coalition] government was to increase the tension among independence supporters, so they introduced discourses that left the door open to independence. And so they did, perhaps because they actually believed it, although they had not believed it until then, or perhaps they did it for tactical reasons to attack the government. Whatever the reasons, it is evident that they did it and this... introduction of this kind of discourse has given *Convergència i Unió* excellent results, right? It has allowed them to come back to office [...] and it is one of the main elements of their political discourse right now, or in the last years. So from an independentist perspective, it is clear that today there are more independence supporters than ever, so, given that we support independence ourselves, we are happy about it.’⁵⁵ The ERC leadership, albeit leading the party in the opposition and having suffered a severe electoral defeat, was eager to get some credit in CiU’s renewed ambitiousness on the constitutional future of Catalonia and the nationalist federation’s discourse change based on the Catalans’ ‘right to decide.’

Notwithstanding the mild applause that the ERC leadership gave CiU’s open discourse on independence, several party leaders regarded the demand for full fiscal autonomy as just a way to win time and the election. The former party president and parliamentary leader during the 2010-12 parliament argued that for *Convergència*, the ‘fiscal agreement’ followed this rationale: ‘If there is no agreement with Spain [i.e. Spanish institutions], we will put forward a clear-cut proposal of independence. This is the theoretical paradigm of *Convergència*.’ He went on affirming that ‘there is a part of *Convergència*’s electorate that does not want independence. [...] [T]his electorate

⁵⁵ Interview with ERC party president. Author’s translation: ‘*Convergència i Unió* va tenir la percepció que una manera de desgastar el govern era incrementar la tensió entre el terreny independentista, no, i que intentant introduir discursos que obrissin el camí cap a la independència. I això ho va fer, bueno potser perquè s’ho creia, encara fins a aquell moment no ho havia fet, o fins aquell moment no s’ho havia cregut, ho va fer potser per qüestions tàctiques de desgastar el govern, ho va fer per la raó que fos, però en tot cas és evident que ho va fer i aquest... i aquesta introducció d’aquest discurs li ha donat bons resultats a *Convergència i Unió*, no? Perquè li ha permès retornar al govern, etcètera, etcètera, i constitueix un dels elements centrals del seu discurs polític en aquest moment, o des de fa uns quants anys, i per tant des d’una perspectiva independentista, és evident que ara hi ha més independentistes que mai, i per tant, atés que nosaltres som, també en gran mesura, un partit independentista, d’això ens en sentim satisfets’ (Junqueras 2012).

thinks we are doing ok, perhaps they want a bit more, but they think it is ok as it is. They have another part of their electorate though that is starting to get tired; and to ask them for an explanation, because they have been increasing the tension for seven years [2003-10], and this must be for a reason.’ Finally, he guessed that the negotiation for full fiscal autonomy in Madrid would fail and *Convergència* would renegade on the ambitiousness of its demands: ‘When Madrid formally says no, maybe they will not say ‘no’ straight away, but we all will know it is a ‘no’ to the fiscal agreement, then *Convergència* will have to take a decision. Or perhaps not. [...] Nothing will happen. [...] I think *Convergència* will be very demanding and when Madrid says ‘no’ [CiU] will say: ‘OK, that’s fine.’ We do not abandon it but we will wait until there is another political scenario in Spain. They will say that and that’s it. And most of their voters will say ‘OK.’ [...] *Convergència* will do that, nothing more. Neither a referendum nor a consultation, nothing.’⁵⁶

The scepticism on CiU’s determination was shared by another former member of ERC’s leadership, who argued that ‘if the outcome of the ‘fiscal agreement’ is a negative one, then this leads to a snap election and in this election everyone will have to ‘show their cards’ and other scenarios may open [...], but uncertainty is considerable. There is also another scenario, which is quite traditional in *Convergència*’s behaviour, which is to try to get a low profile agreement and present it to the public as a wonder, with the help of the media, etcetera.’⁵⁷

⁵⁶ Interview with the former Secretary General and President of ERC. Author’s translation from: ‘Si no hi ha acord amb Espanya, fem una proposta clarament independentista. Això és el paradigma teòric convergent’; ‘hi ha una part de l’electorat de Convergència que no vol la independència [i] en aquest electorat ja els està bé com està, potser en volen una mica més, però ja els està bé com està. Però ells tenen un altre electorat que comença a estar cansat. I comença a demanar-los explicacions, perquè durant set anys han tensat la corda i això ha de ser per alguna cosa’; ‘Quan Madrid formalment digui que no, que potser no dirà mai que no, però tots entendrem que ha dit que no al tema del pacte fiscal, i Convergència haurà de prendre una decisió, o no’; ‘No passarà res, ni això. Jo tinc la teoria particular que, no sé com acabarà, però crec que Convergència serà super exigent i quan Madrid li digui que no dirà, bueno, d’acord. No hi renunciem i esperarem a una altra conjuntura política a Espanya. Diran això i es quedaran tant amples. I la majoria de l’electorat convergent dirà, doncs vale’; and ‘però faran això Convergència, no faran res més. Ni referèndum, ni consulta, no farà res’ (Puigcercós 2012).

⁵⁷ Interview with a former Secretary General of ERC. Author’s translation from: ‘si el desenllaç del pacte fiscal és negatiu, evientment això precipita unes eleccions i en aquestes eleccions tothom haurà d’ensenyar les cartes de cara a la pròxima legislatura, i aquí és on sí que efectivament es poden obrir

Concerns on CiU's determination to increase their demands if the proposal for full fiscal autonomy did not succeed were shared by the current leader of ERC, who casted doubt on CiU's readiness to espouse independence if the Spanish government rejected extending Catalonia's powers on fiscal issues. While discussing how to achieve independence in an interview, the president clearly emphasised CiU's reservations towards independence. As he puts it, 'you can proclaim independence if you have a majority in the Catalan Parliament. Why don't we do that? Because *Convergència i Unió* doesn't want to. Otherwise, we would have already done it. [...] So, could *Convergència i Unió* be an ally on this issue? It could, but it doesn't want to. It is not, it doesn't want to be. It doesn't want to do it.'⁵⁸

The outcome of the brief 'negotiation' on full fiscal autonomy is well known and has been detailed above. The Spanish PM rejected the proposal for a new fiscal agreement put forward by Artur Mas and backed by the Catalan Parliament. The events following from this episode proved the concerns of the ERC leadership wrong since Mas dissolved the Parliament and called for a snap election, while CiU put forward the demand for a constitutional referendum to be delivered. In terms of party competition, had Mas taken the 'no' of the Spanish PM to the fiscal agreement proposal and done nothing about it, most surely ERC would have criticised CiU for not delivering what was promised and doing nothing about it. This pressure, which was also increased by the 1-million strong demonstration on Catalonia's national day demanding independence, forced CiU to take the initiative and to put forward the demand for a referendum on Catalonia's independence, thus matching ERC's demand of 2010.

However, it is doubtful that Mas' decision to call for a snap election was taken in a rush, and the events were more likely to be part of a broader plan. The leadership of

altres escenaris [...]. Però la incertesa és molt notable. I també hi ha un altre possible escenari, molt tradicional en la manera de fer de Convergència de tota la vida, que és intentar sublimar un acord a la baixa, presentant-lo com una meravella índia i utilitzant els prescriptors mediàtics i tal' (Ridao 2012).

⁵⁸ Interview with the President of ERC. Author's own translation from: 'es pot proclamar la independència si tens la majoria del Parlament de Catalunya. Per què no la proclamem? Perquè Convergència no vol. [...] Per tant, Convergència i Unió podria ser un aliat en això? Podria ser-ho, però no ho vol ser-ho. No ho és, no ho vol ser. No ho vol fer' (Junqueras 2012).

CiU knew that ERC as a political competitor would put forward the independence issue anyway, and also the demonstration in Barcelona had confirmed the saliency of the issue and confirmed the growing support for independence that opinion surveys had shown since 2010. Thus, according to the CiU's secretary general, who admitted a few days before the Spanish government's rejection to the 'fiscal agreement' proposal that it had a slim chance of success, CiU, and more specifically CDC, had already traced a plan to push for independence: 'President Mas said that this parliamentary term [2010-12] would mean the beginning of Catalonia's 'national transition' [...]. That was a first step. This was followed up by *Convergència*, at its party conference, which sets, not the next step, but the final station, our own state. By this we aim to keep it gradual.'⁵⁹

The 2012 election result showed CiU support cut down to 50 MPs and thus its government position relying on the support of ERC, which got back in strength with 21 MPs, matching their 2006 result. The two parties struck a deal that would have ERC give parliamentary support to the CiU government on the promise to deliver a referendum on independence by 2014 (CiU and ERC 2012). As it has been described above, the agreement has led to two parliamentary resolutions, one that declared Catalonia a 'sovereign political subject' and commanded the government to bring forward a negotiated constitutional referendum with the Spanish government, whereas another resolution approved on 27 September 2013 commanded the same Parliament to send to the Spanish Parliament a proposal of a date, question, and legal mechanisms to deliver the referendum before the end of 2013. The resolution obtained a majority with the votes of CiU, the ERC, the ICV and the CUP (La Vanguardia, 27 September 2013e).

⁵⁹ Interview with CiU's Secretary General. Author's translation from: 'el President Mas dient, aquesta ha de ser la legislatura on s'inicia clarament ja la Transició Nacional, Espanya la va fer, amb la democràcia als anys 80, nosaltres la volem fer ara, eh? I marca un primer graó. I certament surt després Convergència, al congrés, i marca, gairebé, no el proper graó, sinó gairebé l'estació final, un estat propi. Amb això nosaltres intentem mantenir la gradualitat' (Pujol 2012).

2.2.2. Enemies but Allies: Competition between CiU and ERC has led them to pursue a similar objective

If looked at from a historical perspective, the bitter relationship between the CiU and ERC in the last government of President Jordi Pujol –when he rebuffed ERC’s offer for a nationalist alliance and CiU was not willing to push for a reform of the Catalan Statute of Autonomy– has evolved into a stable parliamentary agreement between both parties and the joint commitment to deliver a referendum on Catalonia’s independence. The change in just a decade is substantial. Although support for independence –and the ERC– did not represent a majority within Catalan mainstream nationalism in the late 1990s and early 2000, the boost received by ERC in the 2003 Catalan election and 2004 general Spanish election was a hint that there was some unrest among Catalan nationalist voters, which probably turned to independence during the second Aznar government (Guibernau 2007). That electoral boost made the ERC a key player in Catalan politics (Argelaguet 2006).

The decision to send the CiU into opposition had two consequences. First, a pro-independence party entered government and the saliency of the territorial issue increased, and part of this saliency could be attributed to conflicts and tensions between the coalition partners, with a specific relevance to the expulsion of ERC from the first tripartite government after the secessionists failed to support the new Statute as it was agreed in Madrid (van Houten 2009).

Second, CiU was left in the opposition for the first time in its history, and the party played the nationalist card to outbid the postulates that ERC had defended in opposition –and that CiU claimed the ERC was not fulfilling in government– on the territorial issue, precisely to increase the tensions between the ERC and the PSC. This was plainly evident during the negotiation of the Statute of Autonomy reform (Colino 2009). The reform of the Statute, ultimately agreed between the CiU and the PSOE, did not bring the nationalists back into power in Catalonia and the tripartite coalition was reedited.

Throughout its second successive spell in opposition, CiU continued to put forward ambitious demands for extended fiscal autonomy and criticised the Catalan-led reform of the overall Spanish regional funding system agreed in 2009. The party had to keep

its position on fiscal autonomy right before the 2010 election, so CiU promised to bring forward a proposal of full fiscal autonomy based on the recently coined 'right to decide' of the Catalans, and building up on the crescent public discontent following the Constitutional Court's ruling on the Statute of Autonomy.

For its part, ERC was faced with a split and the appearance of more radical pro-independence parties that questioned the republicans' independentist credentials and criticised its agreement with the PSC, forcing in turn the ERC to abjure of the government experience, declare that another agreement with the PSC would not be reached, and putting forward a demand for a referendum on independence. The return of CiU back to power after the 2010 election under the high profile promise to deliver a new fiscal agreement effectively tied the nationalist federation's hands behind its back: if the promise could not be delivered, in a scenario of increasing public support for independence, the party would face serious challenges from ERC if it backed off and accepted the Spanish government's rejection of the Catalan parliament's proposal for full fiscal autonomy. When the latter scenario was a fact, CiU put forward the demand for a referendum that ERC had coined a few years before.

Therefore, competition between the CiU and the ERC has triggered territorial demands on aggregate terms. ERC had supported independence since the early 1990s as its political horizon. When CiU was ousted from government, it played the nationalist card to erode the government coalition and increased its territorial ambitions. Once the party returned to government in 2010, the scenario had changed significantly and independence was already an important issue in the political agenda. With ERC, albeit debilitated after the 2010 election, keeping the pressure on CiU's determination to bring forward the promise of full fiscal autonomy, the latter had few options after this ambitious aim fell through in Madrid, but to rival ERC's bid for a referendum on independence to take place. Ultimately, the rivalry between CiU and ERC has led mainstream Catalan nationalism from being autonomist in nature during the 1990s and most of the 2000s to a clear secessionist stand in the 2010s.

3. Conclusion: Party Competition as the Driver of Territorial Demands in Catalonia

Party competition in Catalonia, as in other similar cases of stateless nations, involves two dimensions of political competition: a classic left-right axis on socio-economic issues, and a territorial axis in which parties compete on the level of self-government that the nation's institutions should have (Hepburn 2009; Massetti 2009). Since the late 1990s, different governments have been in place in Catalonia, involving both SNRPs and SWPs, and territorial demands have not ceased to increase on aggregate terms. How can political party competition explain the persistency of territorial demands in Catalonia? This section has outlined two different dynamics of party competition: first between SNRPs and SWPs and, second, between SNRPs themselves. Traditionally, the main two parties in Catalonia have been the Catalan nationalist federation of CiU and the Catalan Socialist Party. Parties in opposition have often played the nationalist card to erode the government's credentials as the best representative of the stateless nation's interests. The reliance of CiU on the PP in the late 1990s and early 2000s was exploited by the PSC by putting forward a reform of the Statute of Autonomy of Catalonia that the CiU had agreed to avoid to keep its parliamentary stability in Catalonia with the support of the PP. The Socialists took advantage of this situation alongside a leadership change in the Spanish-wide PSOE that appeared to be friendlier towards Catalan demands. However, the inclusion of ERC in the government provided more visibility for the pro-independence party and CiU tried to exploit the ideological differences between ERC and the PSC to break up the coalition. The way to achieve this was to increase CiU's demands in the negotiation of the Statute reform, although the PSC chose to give in to many of the proposals knowing that the text had to be ultimately accepted by the Spanish government in Madrid. However, this expanded the scope of the Catalan proposal, which set the Catalan demands far beyond what the PSOE would be ready to accept.

The leadership of CiU was convinced they would get back into government after the inevitable election following the Statute's 2006 referendum triggered by the expulsion of ERC from the government after rejecting the Statute's outcome. However, the tripartite coalition was re-established and CiU was kept in the opposition, where they

kept increasing their demands, particularly on fiscal autonomy. The Constitutional Court's ruling changed the paradigm of party competition and popular support for Catalonia's independence started to increase. Party proposals have shifted and the SNRPs are leading the way, with the PSC sharing some of the postulates –i.e. the need for a better funding system and ultimately a constitutional referendum– but cutting short the aspirations of both CiU and ERC.

Competition between the PSC and CiU explains the demand for a new Statute of Autonomy; the reform was an electoral proposal of the PSC back in 2003 to put forward a serious bid to achieve office. The process was supported by the SNRPs, which nevertheless outstripped the PSC and President Maragall of its leadership in the reform process, which was ultimately placed in the hands of the PSOE and CiU. However, the government-opposition dynamics of CiU and ERC show that the CiU looked for outbidding ERC from the opposition, trying to show that the Republicans were not delivering what they had promised. This led CiU to put forward a substantial demand in the form of full fiscal autonomy, and on that promise, first included in the Statute package and then presented on its own as an electoral campaign proposal for the 2010 Catalan election, they eventually recovered office. But under the impossibility to deliver it, the party decided to put forward more ambitious demands facing a vigilant ERC, which recovered surprisingly fast from the electoral consequences of incumbency. To sum up, the decade-long dynamic of territorial demands in Catalonia started with the PSC's bid to reform the Statute of Autonomy, to which CiU responded and eventually contributed to deliver. The government change, though, provided more visibility to ERC and the underlying competition between SNRPs ultimately explains the substantial change in CiU's position. The PSC, because of its SWP nature, cannot –and will not– match ERC's independence aim. CiU can, and the fact that they have done so proves that the competition between both parties is high more relevant. Furthermore, the electoral decline of the PSC, which is also ripped between its more pro-Catalan and pro-Spanish wings, highlights even more

the relevance of the role of CiU and ERC, the main two parties in Catalonia right now, a trend that is confirmed by recent opinion polls.⁶⁰

The ongoing outbidding between the PSC, ERC, and CiU on territorial demands has ultimately led to an escalation of the territorial aims of CiU, which has matched ERC's aim for independence. The PSC has been completely overwhelmed by such an evolution and the current situation of CiU and ERC competing to be the first party in Catalonia makes it rather difficult for any of these two parties to back off on their commitment to a referendum on independence, especially after the increasing public backing that independence has gathered amongst a substantial share of the Catalan voters.

⁶⁰ Recent opinion polls suggest that ERC would win the election, with CiU being a second position; while the SWPs would lose out to C's. Furthermore, in May 2014 ERC won the European election with CiU running a close second.

Chapter 6. Explaining Territorial Demands: The Effects of Territorial Management and Public Opinion

1. Introduction

Party competition cannot explain on its own the dynamics of territorial demands in Catalonia, since competition has been going on for three decades and the escalation of the demands is quite recent. The demands for constitutional change that Catalan political parties have endorsed in the last decade have been negotiated in Madrid with the Spanish government, State-wide parties, and other central state institutions. In this sense, the second explanatory variable is the territorial management strategies followed by the Spanish central institutions in order to respond and accommodate the territorial demands from Catalan political parties. The acceptance of the territorial demands from the periphery implies increased powers for the sub-state institutions and thus a prospective restraint on further demands from the sub-state political elites, which may be satisfied with the newly acquired powers. However, strengthened sub-state institutions give more power to regional political actors in their ability to influence policy outcomes and public opinion in favour of further devolution, which would eventually lead to further territorial demands and potentially a ‘slippery slope’ towards the stateless nation’s political independence. This paradox, that federal-like solutions can either contain or exacerbate territorial demands, has been widely discussed in the literature and still remains an open discussion (Erk and Anderson 2009; McGarry and O’Leary 2009).

However, if decentralisation would eventually lead to the state’s disintegration, why did states decentralise in the first place? Rejectionist strategies or repression, which had been hitherto used by non-democratic governments, including Franco’s Spain, could lead to territorial demands turning violent or irremediably secessionist in nature. The prospect of violence is however one that central governments tend to be willing to avoid and thus demands, including decentralisation, were to be negotiated and

eventually granted (Horowitz 1981; Rudolph and Thompson 1985; 1989). Nowadays, the prospect of violence in Western democracies due to central state intransigence to territorial demands is rather low, and violent means are ruled out by most stateless nationalists in order to achieve their political objectives, even in the high-profile cases of Northern Ireland and the Basque Country as the recent events leading to a pacification of those conflicts seem to suggest.

However, rejectionist strategies implemented by central governments might lead to a radicalisation of demands from the sub-state political actors. The Catalan case clearly reflects this pattern. For instance, electoral support for ERC, which favours Catalan independence, was boosted in the 2003 Catalan election and the 2004 Spanish election following four years of PP-led neo-centralist and Spanish nationalist policies and discourses. Similarly, the Constitutional Court's ruling on the Catalan Statute of Autonomy led the Catalan nationalist parties to exacerbate their demands. CiU proposed full fiscal autonomy and ERC campaigned openly for a referendum on independence in 2010. The subsequent rejection of full fiscal autonomy by the central government led CiU to further radicalise its territorial aims, thus openly campaigning for a referendum on Catalonia's constitutional future.

The Catalan experience seems to suggest that accommodative strategies do contain territorial demands, at least across the population's preferences. Following a small peak of support for a federalist reform of the Spanish Constitution in 2003 and 2004, public support for Catalonia being an Autonomous Community within Spain received a clear majority support of around 60% of the Catalans in the aftermath of the new Statute of Autonomy's approval. However, after 2010 support for autonomy decreased substantially and public support for independence rocketed to be the preferred constitutional option in Catalonia by 2012. As it will be detailed below, the Spanish central institutions' strategy of rejecting further Catalan demands –either by non-negotiating them or by curtailing the powers and economic resources already granted to the Catalan institutions– has provoked an increase in the public support for independence and the adoption by the nationalist parties, most notably CiU, of a pro-independence stance.

Finally, the second section of this chapter will discuss the effect of public attitudes and civil society mobilisation on parties' enhanced territorial demands. Political parties will want to include popular policies amongst the electorate in order to maximise their votes in elections. Thus, support for particular constitutional options, such as further self-government or independence may lead political parties to readapt their political discourse in order to include widely-accepted constitutional options. In the Catalan case, CiU has applied this logic undoubtedly. Capitalising on the public discontent following the Constitutional Court's ruling on the Statute of Autonomy, the party adopted the new paradigm of the Catalans' 'right to decide,' echoing the July 2010 demonstration slogan of 'We are a nation, we decide' that gathered hundreds of thousands in Barcelona to protest against the Constitutional Court's decision. The party initially set its main objective on full fiscal autonomy, which gathered more supports amongst the Catalan public than independence; but when this proposal was rejected by the Spanish Prime Minister, a few days after another massive demonstration in Barcelona that demanded independence under the banner of 'Catalonia, the next state in Europe,' CiU espoused the demand for a constitutional referendum to be held in the next parliament so Catalans could decide whether they wanted their own state.

2. Territorial Management in Spain and its Impact on Furthering Territorial Demands

Constitutional change is almost an exclusive competence of the central government and therefore the role of political actors at the centre is determinant. As a result, demands for constitutional change from political actors in sub-state territories cannot be treated in isolation, and the reaction of the centre's to the demands posed by the periphery will shape the evolution of future demands. Hypothetically, this could work in many ways. For instance, a thorough rejection of the demands posed by peripheral actors may lead to a persistence in asking the same over and over, or perhaps to the cessation of the demands if deemed as unviable, or even to a radicalisation of the demands. Likewise, a partial acceptance of the demands raised by peripheral political

actors may lead to different scenarios: demands can stop if the negotiated outcome is satisfactorily enough for the sub-state actors or they may be increased following the final agreement between central and sub-state institutions if there is a feeling that something more could have been achieved. Even when constitutional change is fully accepted by the central government, that is, in the unlikely scenario that all sub-state-sponsored demands will be met by the central political actors, the evolution of demands may vary; demands can stop if all the objectives were fulfilled in the reform; or increased sub-state powers may ultimately lead to further renewed sub-state territorial claims. The literature has pointed out that constitutional change in multinational states, once devolution has been implemented, remains an unstable scenario by nature and that some flexibility is required in order to keep everyone more or less happy with the constitutional status quo (L. M. Anderson 2010; Erk and Anderson 2009; Erk and Swenden 2010a; Gagnon 2007; Horowitz 1993; Keating 2001b; Linz 1997; McGarry and O'Leary 2009; O'Leary 2001).

The recent evolution of Spain's *Estado de las Autonomías* clearly exemplifies the wide possibilities for different scenarios to arise that were just mentioned. With Catalonia in mind, the last decade has seen demands that have been partially accepted –e.g. a Statute of Autonomy reform, the negotiation of a new regional fiscal system in 2009–, while others that had been thoroughly rejected, such as the possibility to implement a system of full fiscal autonomy for Catalonia; and even more recently the frontal opposition of the Spanish government to allow a referendum on Catalonia's constitutional future. What is evident is that the premise of this thesis, that territorial demands have persisted in stateless nations after devolution was firstly introduced, remains a fact. Thus, this section asks to what extent the territorial management strategies implemented by the central government have exacerbated territorial demands from Catalonia. By territorial management, I follow Keating's definition of 'the efforts of central elites to cope with the territorial dimension of policy problems and to contain territorially-based challenges to the central power structure' (1988: 18).

This section will be divided in four parts. First, I will briefly discuss the main features of historical territorial management in Spain, with a special emphasis on the central government's desired aim of achieving a symmetrical decentralisation and the way

challenges from the peripheral nationalisms to introduce further asymmetries in the decentralisation process were avoided by sticking to a symmetrical framework of decentralisation, the so-called '*café para todos*.' Second, I will analyse the challenge posed by the reform proposal of the Catalan Statute of Autonomy to this framework and the way the central government dealt with it, also taking into account both territorial and party dynamics. Third, I will analyse the ultimate outcome of the reform, with a particular focus on the controversial Constitutional Court's ruling, which declared some parts of the Statute to be contrary to the Spanish Constitution, and the diverse reactions to the ruling both at the centre and in Catalonia, which provide a clear turning point in the evolution of demands for more autonomy. Fourth, I will argue that the central government's strategy after the Statute ruling was published is directly linked to the consolidation of a climate of political confrontation between Catalan and Spanish institutions and the eventual bid for independence posed by the Catalan nationalist parties.

2.1. The underlying logic behind Spain's decentralisation: the 'café para todos'

The Spanish Constitution states that Autonomous Communities are either 'regions' or 'nationalities,' although it does not say which is which or if there are any differences between the two types (Guibernau 1997). The practicality of the decentralisation process in Spain has tended to a homogenising model in which the regional governments tend to have the same powers, especially after the two reforms of the early 1980s and 1990s (Agranoff and Ramos Gallarín 1997; Keating 1998b). The *Estado de las Autonomías* is not completely symmetric. Indeed, some important asymmetries exist, most notably the Basque and Navarrese funding system, based on the recollection of all taxes in their territory, with a negotiated amount to be transferred to the central government for the services it provides in the two regions (Agranoff 1993; Keating 1988). The other fifteen regions are included in the so-called 'common regime' system – '*régimen común*' –, in which the central government collects all taxes and transfers the money to the regions (Castells 2001). Further asymmetries include the different timing for regional elections in the 'historic nationalities' –i.e. the Basque

Country, Catalonia, Galicia, and Andalusia –whereas the other 13 regions hold elections at the same time, alongside municipal elections (Hamann 1999); and the fact that some of the regions have their own police forces (Heller 2002), some of these are regarded as ‘historical nationalities’ such as the Basque Country and Catalonia, but Navarra, for example, also has its own police force. Therefore, Spanish decentralised system contains some asymmetries, but the logic underlying it is profoundly symmetric.

Asymmetries in federal or quasi-federal systems has been widely studied in the literature. In multinational societies, it is argued that asymmetry may be a good technique to recognise the particularities of stateless nations within the state, or, to use the Spanish variety of the term, its ‘nationalities’ (Conversi 2007; Fossas 1999; 2001; Gagnon 2001; Keating 1998b; 1999; Requejo 2001a; 2003; 2005). However, others rightly point out that conceding extra powers or special recognition to stateless nations might lead the other non-identity-based regions to complain about what they consider to be unfair ‘privileges’ and to demand equal treatment; which leads to a spiral of demands for asymmetry from the ‘nationalities’ that are eventually matched by the other regions in what has been labelled as ‘centrifugal dynamics’ or ‘re-symmetrization processes’ (Hombrado 2011; Requejo and Nagel 2009; Roeder 2009). The tension between these two visions, the one from the ‘nationalities,’ that claim to have some distinctive elements, and the one from the non-identity-based regions, which claim that all regions should receive the same treatment and reject any kind of ‘privilege’ for the ‘nationalities,’ ultimately makes asymmetrical agreements ‘stability challenging’ (Zuber 2011: 565).

This tension lies on different conceptions of state and nation, and is highly evident in the Spanish case. For nationalists in stateless nations, the state is composed of one *demos* but several *demoi*, thus implying that stateless nations and regions of the majority identity should not be treated the same way (Erk 2011; Requejo 2010a). Those who reject these claims argue that there is only one *demos*, one nation, and that the state is not ‘multinational’ but embedded with a plurality of cultures and/or languages. The latter interpretation is the dominant one in Spain’s non-identity regions and certainly that of the central government, based on the reinforcing nature of the

central state embedded in Article 2 of the Constitution, which grandiloquently declares the ‘indissoluble unity of the Spanish Nation’ (Agranoff 2004: 31). Thus, when demands for special recognition have appeared from sub-state nations in Spain, the recognition of the ‘nationality’ character has been extended to other Autonomous Communities, beyond the largely regarded triad of the Basque Country, Catalonia, and Galicia, such as Andalusia, Aragon, or the Valencian Community. The underlying strategy of the ‘*café para todos*’ is, then, as was effectively put by Keating, that ‘everybody is allowed to be special and therefore nobody is’ (Keating 2001c: 54).

Examples of this strategy, or the way Spain is understood, exist aplenty and some will be given when discussing the process of reform of the Catalan Statute below. However, this rejection to ‘privileges’ and the notion that ‘everybody is special’ have remained to this day. With the debate on independence becoming ever more salient in Catalonia, with the Catalan nationalist parties aiming to hold a referendum on independence and the regional funding system due to be renewed late in 2013 or in 2014, some regional leaders fear more fiscal autonomy could be offered to Catalonia in order to cut down support for independence. Regional leaders from both the PP and the PSOE rejected conceding any privilege for Catalonia on fiscal issues. Ignacio González, the PP regional president of Madrid, declared that ‘changing money for sovereignty is not admissible’ and claimed that he would ‘demand a public consultation if anyone has the temptation to give a fiscal regime *à la carte*’ to the Catalan Government (El País, 7 October 2013d).⁶¹ This debate is also vivid within the ranks of the Spanish Socialists, the PSOE, which have recently put forward the possibility to reform the Spanish Constitution ‘towards a federal structure of the State’ (PSOE 2013) in order to appease secessionist demands in Catalonia. This would be achieved, according to the former Spanish Deputy PM and former PSOE leader, Alfredo Pérez Rubalcaba, by the Constitution explicitly recognising the ‘singularities’ ‘*singularidades*’ of Catalonia. He did not specify however what is meant by ‘singularities,’ although he made it clear that ‘singularities yes, privileges no’ (La Vanguardia, 12 January 2013a).

⁶¹ Author’s translation from: ‘Cambiar dinero por soberanía es inadmisibile’ and ‘consulta ciudadana si alguien tiene la tentación de dar un régimen fiscal a la carta.’

The former PSOE deputy leader, Ms Elena Valenciano, although admitting that the Constitutional reform discussed within the PSOE responds to ‘a concrete issue to be sorted out: Catalonia,’ insisted on sticking to Spain’s logic of territorial management, that is symmetry, by arguing that ‘federalisation is something that would affect everyone’ (El País, 12 January 2013a).⁶² Furthermore, it seems that Catalan ‘singularities’ would not relate to regional funding. Mr Rubalcaba joined in the debate on whether the reform of the regional funding system could be used to appease Catalan secessionists by ruling out any singular treatment of Catalonia on financial matters. He said: ‘The funding system must be the same *throughout Spain*. The fact that it needs to be reformed is another issue, but it must keep being *the same for everyone*’ (El País, 9 October 2013e, emphasis added). Interestingly, the necessity for the funding system to be the same ‘throughout Spain’ is silent about the specific models of full fiscal autonomy existing in the Basque Country and Navarre, two rich regions in Spain that do not contribute at all to inter-regional solidarity (Castells 2001; Herrero Alcalde, Ruiz-Huerta Carbonell, and Vizán Rodríguez 2010). This, as pointed out above, clearly represents an asymmetry which is duly tolerated.

A few months before Mr Rubalcaba’s statement, though, Mr Pere Navarro, the former leader of the Catalan Socialists (PSC), shook up the political agenda for a few days by claiming that the Basque ‘*concierto económico*’ was a ‘privilege’ and suggested that, ‘if what we desire is a fair funding system, we should start by getting rid in the Constitutional reform [that the PSOE is debating] of the privileges that exist today,’ in a message directed ‘to all those who talk about false Catalan non-solidarity’ (El País, 13 June 2013c).⁶³ Mr Navarro’s proposal outraged many. Not surprisingly, the Basque government, led by the Basque Nationalist Party (PNV), answering through different officials, deemed the suggestion was of ‘extraordinary gravity’ and denounced it as a ‘frontal attack to [Basque] self-government,’ of which the ‘*concierto económico*’ was

⁶² Author’s own translation from: ‘una cuestión concreta que resolver: Cataluña’ and ‘La federalización es algo que afectaría a todos.’

⁶³ Author’s translation from: ‘Si queremos una financiación justa, empecemos por eliminar en la reforma de la Constitución los privilegios que existen hoy’; and ‘a todos aquellos que hablan de falsa insolidaridad catalana.’

‘an essential piece.’ The PNV was not alone in defending the Basque’s full fiscal autonomy regime. The PSOE and the PP backed it as well. The Basque leader of the PSOE-PSE, Mr Patxi López, argued that the ‘*concierto*’ is unquestionable’ and a Basque PP spokesperson claimed that the ‘*concierto económico*’ is not a privilege’ (El País, 13 June 2013b). Indeed, the Basque and Navarrese models were confirmed by the PSOE’s state-wide leadership in the working paper that introduced a future federal reform of Spain’s Constitution (PSOE 2013: 17). Hombrado argues (2011: 479) that ‘[n]ationalists in Catalonia have seen with jealousy the fiscal privileges and constitutional treatment granted to Basque and Navarrese,’ which led the former to demand the same. As we have seen, demands for full fiscal autonomy from Catalonia were indeed posed through the Statute reform process, and afterwards, and have constantly been rejected. Catalan PM Artur Mas argued that the last rejection of this proposal in the late summer of 2012 drove CiU to put forward a demand to hold a referendum on Catalonia having its own state (Mas 2012). The discussion around the funding system clearly exemplifies the instability inherent in asymmetric arrangements. On the one hand, both the PP and the PSOE claim there cannot be any privileges for anyone, but they defend full fiscal autonomy for the ‘*foral*’ territories, which is an asymmetry. Arguably, once autonomy is granted it is politically very difficult to take it back (O’Neill 2003), but if the central institutions and regional leaders in non-identity-based regions think it legitimate to demand as much as the Catalans get, why should it not be legitimate for the Catalans to demand what the Basques have? Catalan parties have certainly put that claim forward.

The paradigm of symmetry may have worked relatively well when the demands of the Catalans could be contained. That point experienced its zenith during the 1990s when the Catalan government of CiU bargained for extra tax allowances and further competencies with the PSOE and PP minority governments in the centre (Agranoff and Ramos Gallarín 1997; Heller 2002). Most gains that the Catalan government received were extended *tout court*, following a symmetric logic. This was acceptable because the other regions were ready to accept what the Catalans got. At one point, though, just when the debate for a new Statute was starting to become salient in Catalonia, some Spanish regional leaders argued that decentralisation had gone far enough.

According to a leading CiU official,

*‘[s]ome presidents of autonomous communities told, already in 2002, or 2001, President [Jordi] Pujol and Mas, who was then Head Minister. “Look Pujol, you know what? We do not want more [powers] for you, because we do not want anything else”. This was not in 2005, nor in 2010. This happened in 2002, in the early 2000s. [...] Some [Autonomous] Communities were forced to take in the competencies on health care, they were forced to. It was necessary to reproduce what Catalonia had to the other communities of the common regime. Some communities at a certain point said “enough, we do not want anything else. We must stop that spearhead that is making us [follow suit]. Stop it. How? Giving them no more”.*⁶⁴

However, the specificities of Catalan politics, with a Catalanist-led PSC willing to reform the Statute of Autonomy and a PSOE under a new leadership made it possible to furthering the scope of Spain’s *Estado de las Autonomías*. This challenged again the symmetric ideal of the state decentralised organisation, and the Spanish state’s management of this process certainly will help us understand why Catalan demands did not stop once the Statute of Autonomy was reformed.

2.2. The Reform of the Catalan Statute: The Perspective from the Centre

The second Aznar government, in which the PP enjoyed a comfortable overall majority in the Spanish parliament, was characterised by an authoritative government style that had effects on territorial politics, especially due to the PP’s mono-national and unitary vision of Spain. Some conflicts related to the sub-state powers, such as the number of hours of Spanish to be taught in Catalan schools or the decision to deviate water from

⁶⁴ Interview with the Secretary General of CiU. Author’s translation from: ‘Alguns presidents de comunitats autònomes dient-li ja a l’any 2002, 2001, al President Pujol, i a en Mas que era conseller, en Cap, dient-li coses com les següents: ‘Mira Pujol, ¿sabes qué pasa? Que no queremos más para vosotros, porque ya no queremos más para nosotros.’ Això no passa ni el 2005, ni el 2010, això passa el 2002, a principi dels 2000s. [...]Algunes comunitats se’ls va obligar a agafar les competències en sanitat, se’ls va obligar. Perquè calia reproduir allò que tenia Catalunya a la resta de comunitats de règim comú. Algunes comunitats va arribar un moment que van dir prou, i van dir, escolta, no, és que no en volem més per nosaltres. Cal que s’aturi aquella locomotora que ens està fent a tots... Ature-la. Com? No donant-li més’ (Pujol 2012).

the river Ebro to south-east Spain, produced outrage among Catalanist parties. However, the authoritative style in territorial politics was perhaps even more relevant in the Basque Country in the early 2000s, with the illegalisation of Herri Batasuna for its alleged links with ETA and the rebuffing of the so-called *Plan Ibarretxe*, a new Statute for the Basque Country that was rejected straight away by the PP in the Spanish parliament, with the legislators not even debating on its content (Jiménez Sánchez 2006; Keating and Bray 2006). However, Aznar's second term increased the political tension not only regarding the territorial question, but also with regards to particular policy issues, such as the way that the disaster of the *Prestige* was handled, the sinking of the tanker was a natural disaster; and even more controversially was Spain's support to the US-led invasion of Iraq which was hugely unpopular amongst Spaniards.

These tensions undoubtedly contributed to explain the 2003 election result in Catalonia, with Catalan voters partly turning their backs on CiU for its alliance with the PP (Barberà and Barrio 2006), which favoured the good result of the PSC and the considerable boost received by the ERC (Guibernau 2006; 2007), thus placing them in a pivotal position and becoming a key player in Catalan politics (Argelaguet 2006). As mentioned above, during that campaign, Mr Zapatero, the new leader of the Spanish Socialists (PSOE), which had been elected with the support of the Catalan Socialists, among others, expressed its commitment to reform the Catalan Statute of Autonomy if elected Spain's next Prime Minister. The support for Zapatero was a strategic move from several regional party leaders, Pasqual Maragall from Catalonia, but also Manuel Chaves from Andalusia, to secure his nomination on the compromise of considering the reform of some regions' Statute of Autonomy; and collaterally aimed at preventing Mr José Bono, which was regarded as a more centralist regional 'baron' from leading the party (Hopkin 2009).

Zapatero won and made his promise during the 2003 election campaign. The tripartite government was constituted and the Catalan parliamentary committee charged with drafting the new Statute started its work. The 2004 Spanish election followed suit, on 14 March, just three days after the terrible Madrid train bombings that completely filled the last days of the campaign, and in which the incumbent PP government tried to attribute the massacre to the Basque organisation ETA, although it was clearly

evident that the terrorist attacks had been carried out by radical Islamists in retaliation for the Spanish government's support to the invasion of Iraq. The election delivered a victory for the PSOE, albeit short of an overall majority. The PSOE had committed to make the State reforms possible, only requiring them to be 'in agreement with the Constitution,' a clear hidden reference to the rejected Ibarretxe Plan, and 'backed by a high degree of democratic consensus' (PSOE 2004: 59).⁶⁵

This opened the way to the Catalan reform, indeed, but it was not the only one that was proposed. Up to eleven out of seventeen autonomous communities started the reform process of their Autonomy Statutes; of those, one was rejected –the Basque, the so-called Ibarretxe Plan–, two were withdrawn, those of the Canary Islands and Castilla-La Mancha, and seven were reformed, those of Catalonia, Andalusia, the Valencian Community, Aragon, Navarre, Castile-and-León, and Extremadura (Grau 2011), the last one being the one of Extremadura in January 2011. The focus of this work will be mainly on the Catalan Statute, but it is evident that there was some openness to reform the *Estado de las Autonomías* on a case-by-case basis in the part of the PSOE. Hence, the 'Zapatero government, in stark contrast to the centralizing discourse of his conservative predecessor Aznar, adopted an open attitude to the possibility of further decentralization, in large parts as a result of internal dynamics within the PSOE' (Hopkin 2009: 194).

This new wave of decentralisation in Spain, in contrast to the decentralisation agreements of the early 1980s and 1990s was not led and directed by the centre, and therefore of a symmetrical nature (Colino 2010), but by the regional governments and parliaments (Grau 2011). Arguably, this opened up the possibilities of re-introducing asymmetries between Spanish Autonomous Communities, particularly among the opposition PP, which feared the Catalan reform might go too far and started even public campaigns to protest about the Catalan parliament's intentions.⁶⁶ The attitude

⁶⁵ Author's translation from the original in Spanish: 'de acuerdo con la Constitución' and 'respaldadas por un alto grado de consenso democrático.'

⁶⁶ The PP collected 4 million signatures demanding the Spanish government to put the Catalan Statute proposal to a referendum to be held throughout Spain, arguing that the initiative was 'to defend the

of the PP in the opposition put a lot of pressure on the PSOE (van Houten 2009), with several votes at stake in many regions of Spain and thus wary that the Statute could be seen as a ‘concession’ or ‘privilege’ given to the Catalans that the PP would try to exploit. This pressure combined with the internal political dynamics in Catalonia discussed in the previous section made the whole content of the Statute proposal unacceptable to the PSOE government; and it goes without saying that the PP in opposition was outraged and even voted against taking the proposal into consideration (Colino 2009: 270).

The main concerns about the Catalan proposal ‘were the funding arrangements and the distribution of competencies, the regulations on the justice administration, the bilateral institutions established, the tax arrangement, and more symbolic issues such as the declaration in several articles of Catalonia as a Nation. It seemed clear, however, that the main stumbling block was the economic aspect of the proposal’ (Colino 2009: 271). Facing this substantial problems, both bilateral and multilateral negotiations started between the PSOE and the different Catalan parties, most notably CiU and ERC, with the final outcome being the agreement between Mas and Zapatero on 21 January 2006 on the Statute content.

The final document was voted in the Spanish Parliament in March 2006 and set the path towards its ratification by referendum. The PSOE and CiU supported the Statute bill and thus the PSC and the nationalists campaigned for a ‘Yes’ vote in the June referendum; whereas the ERC and the PP voted against the bill and supported the rejection of the Statute reform, albeit for opposite reasons (van Houten 2009). ERC perceived too much had been cut off from the original Catalan proposal and the PP kept its frontal opposition to the reform, challenging the text to the Constitutional Court under the charge that it was against the Spanish Constitution.

The support of both the CiU and the PSC to the re-negotiated text passed by the Spanish parliament and the support of the PSOE was translated into a comfortable

Spanish Constitution,’ ‘the Spanish nation and the equality between all Spaniards’ (El País, 25 April 2006). It did not go through.

support in the Statute referendum, with around three-quarters of voters validating the new Statute. Hence, the outcome at this stage was perceived as satisfactory, an agreement reached between both Catalan and Spanish institutions and ratified by the Catalan electorate. Even the ERC admitted the validity of the outcome despite having opposed the final draft of the Statute.

The approval of the new Statute set the basis of an agreed framework, which included substantial elements of constitutional change, most notably on the issue of the development of a new regional funding system and certain compromises from the central government to invest in Catalonia. The period between 2006 and 2010 was marked by the implementation of these compromise, with the Catalan parties claiming that the central government was not fulfilling its part of the deal, which led to the progressive increase of territorial tension. The latter was further exacerbated by the uncertainties regarding the outcome of the Constitutional Court's ruling on the Statute of Autonomy, with claims that the Constitutional Court was highly polarised and discredited. This is the main topic of the next section.

2.3. The Outcome of the Statute Reform: The Willingness to Put an End to Decentralisation

Catalan political parties, especially the CiU and the PSC, celebrated the agreement reached and the approval of the new Statute, albeit all of them also put emphasis on being vigilant to the fulfilment of the agreements by the central government. For example, the PSC celebrated that '[d]espite the opposition of the fundamentalist and intolerant Spanish right [the PP], today Catalonia has a new Statute, which makes it the most autonomous European' stateless nation; and urged a swift implementation of the new Statute through a bilateral commission between the *Generalitat* and the central government, along with the new regional fiscal system, which would imply 'that the revenues of the Generalitat come entirely from the benefits of the taxes paid by the citizens of Catalonia through the increase of the *Generalitat*'s share in the main state

taxes: the Income Tax from 33% to 50%; VAT from 25% to 50%; and the special taxes [on alcohol and tobacco] from 40% to 58%' (PSC 2006: 7, 363).⁶⁷

CiU also demanded that the new regional funding system should reduce the amount of solidarity transfers from Catalonia to the other regions, to apply the Statute clause regarding the central government's investment on infrastructures and urged the creation of the Catalan Tax Agency. CiU also maintained the demands that had been ruled out in the new statute, such as the competency on the management of Barcelona's airport, unemployment benefits or the possibility that Catalan sports teams could play international competitions, arguing that these competencies and others 'were included in the Statute proposal approved by the Catalan Parliament and were subsequently vetoed or rejected by the Socialists' (CiU 2006: 184).⁶⁸ Statements like this one clearly exemplify the maintenance of the tension on territorial issues translated to the competition between the PSC and CiU in the 2006 election, where the nationalists aspired to come back into office. However, at the same time they failed to mention that the CiU leaders themselves had agreed to this 'vetoes' and 'rejections' by the Socialists by agreeing to the content of the Statute and supporting its final version. The election result that left CiU in the opposition yet again reinforced CiU's demands and paved the way for the nationalist federation to claim that the PSOE government was not delivering their part of the agreement.

Before the 2008 Spanish general election, CiU demanded the publication by the central government of the '*balances fiscals*,' that is, the net money transfers between regions after the central government had redistributed resources; the fulfilment of the Statute disposition 'regarding state investments in Catalonia for 2007-2013, which implies a

⁶⁷ Author's translation from the original: 'Malgrat l'oposició de la dreta espanyola, fonamentalista i intolerant, avui Catalunya té un nou Estatut, gràcies al qual s'ha convertit en la comunitat nacional europea que gaudeix de més autonomia política, respecte de l'Estat del qual forma part'; and 'garanteix que els ingressos de la Generalitat procedeixin totalment del rendiment dels impostos pagats pels ciutadans de Catalunya a través de l'augment dels percentatges de participació de la Generalitat en els grans impostos estatals: l'IRPF, del 33% al 50%; l'IVA, del 25% al 50%; els impostos especials, del 40% al 58%.'

⁶⁸ Author's translation from: 'CiU continuarà reivindicant aquells aspectes puntuals que figuraven a la proposta d'Estatut aprovat pel Parlament de Catalunya i que els socialistes van vetar o rebutjar.'

transfer of 1.5 billion Euros that the state still has to transfer to Catalonia from the years 2007 and 2008’ and the effective transfer of new competencies such as ‘regional train services, education scholarships, immigration, water policy, Social Security administration, [and] justice’ (CiU 2008: 5-6).⁶⁹ The pressure of CiU in this regard, which has been advanced in the previous section on party competition, obviously tensed the relationship between the PSC and the PSOE because the PSC had to stick to what had been agreed to in the Statute process and the PSOE government not always fulfilled its part of the deal. A leader of the PSC admitted that the ‘disloyalty of the Spanish central administration’ (Iceta 2012) was one of the consequences that fiscal demands had later shifted to full fiscal autonomy, attributing it to the view that controlling all tax resources in Catalonia would prevent the central government’s involvement and thus failing to provide what had been previously agreed.

This sentiment of growing territorial tension and distrust towards the Spanish government to fulfil its compromises was also accompanied by the Constitutional Court’s deliberation on the appeal against the Statute put forward by the PP. The 12-member Court was completely divided following party lines, i.e. a progressive faction and a conservative faction. Although members of the Constitutional Court are supposed to be impartial, the nomination system based in the Spanish parliament and government, which is dominated by a two-party system favours that the PP and the PSOE support each other’s candidates. Several scandals also affected the long deliberation process. For a start, a Catalan member of the Court was prevented to take part into the Statute ruling because he had written a report on the constitutionality of the Statute reform proposal before he was a member of the Court. The vote to set him aside was close, 6 to 5, showing the divisive nature of the whole issue (El País, 5 February 2007a). Furthermore, by spring 2010 four members of the Court had their mandates already expired and the Catalan Socialist President of the *Generalitat* and

⁶⁹ Author’s translation from: ‘respecte a les inversions de l’Estat a Catalunya en el període 2007-2013, cosa que implica l’abonament dels 1.500 milions d’euros, que l’Estat té pendent de transferir a Catalunya, corresponents als anys 2007 i 2008’; and ‘entre les quals cal incloure els serveis ferroviaris de rodalia i els regionals, els aeroports, l’atenció a la dependència, les beques, la immigració, les polítiques d’aigua, la gestió de la Seguretat Social, la justícia.’

the CiU urged the Spanish political parties to renew the Court even if the Statute ruling was not ready yet.

The PP however argued that the referees could not be replaced while the ‘match’ was under way, while the PSOE blamed the PP for blocking the reform, with the PP willing to maintain the current balance between Conservatives and Progressives judges. Mr Montilla, the PSC Catalan PM claimed that the renewal of the Court’s members with expired mandates had to be tackled ‘with the Constitutional Court and its prestige in mind, because it is very deteriorated because of these lamentable circumstances’ (El País, 19 April 2010a).⁷⁰ In addition, another member of the Court died in 2008 and was not replaced either, due to the disagreement between the PP and the PSOE to nominate a consensus candidate (El Mundo, 14 April 2010).

In a nutshell, the 12-member Constitutional Court charged with examining the constitutionality of the new Catalan Statute was reduced from 12 to 10 members, due to a death and a Catalan judge being left aside from the deliberations by his peers after the appeal made by the PP. From the ten remaining members, four had their mandates expired, a situation that echoing President Montilla’s words left the image of the Court deteriorated and severely damaged. The ruling, published on 26 June 2010, declared some articles unconstitutional and reinterpreted several others. The outcome led to a lively discussion both amongst academics and politicians on the effects of the ruling and its political and legal scope. However, the reaction of the main Catalanist political parties and civil society organisations was that of a complete rejection since the Statute had been perceived as a pact between the Catalan people and the Spanish institutions and the latter, through the Constitutional Court, unilaterally changed the agreement. It has been argued that the party dynamics that led the Catalan proposal to be far too ambitious, even though it was substantially modified in the Spanish parliament, implied that ‘the Court [was] compelled to issue a ruling that may possibly contradict the will of two parliaments and the electorate of Catalonia’ (Colino 2009: 280). Indeed, the Constitutional Court overruled a law that had gone through two parliamentary

⁷⁰ Author’s translation from: ‘en el TC y en su prestigio, muy deteriorado por estas circunstancias un poco lamentables.’

procedures and a referendum, but under any circumstance can the Constitutional Court be considered a neutral political actor that was limited to interpreting the Constitution from a strict legalistic point of view. The serials on the status of the Court's members throughout the ruling's deliberation process, with the two Spanish parties blocking the replacement of members with expired mandates had a clear political intention, to affect the outcome of the ruling by influencing the Court's composition.

The two parties clearly reacted favourably to the ruling, although from different perspectives. The Spanish Prime Minister and PSOE leader, Mr Zapatero, described the ruling as 'satisfactory,' emphasising that the Statute was 'basically constitutional' and the ruling confirmed 'more than ninety per cent of [the Statute's] initial content': '*Objetivo cumplido*' or 'objective fulfilled' he said (La Vanguardia, 1 July 2010a). On the other hand, a PP spokesperson, Soraya Sáenz de Santamaría, stated that 'the most important thing is that the Court has taken into account the appeal of the PP and casts doubt on 50 articles' of the 114 articles that the party had appeal against and on her view the PP 'wanted a Statute that fits into the Constitution. We value that the resulting Statute is fully constitutional. We have done what we had to do. Furthermore, it is clearly stated that the term 'nation' in a [legally] binding character only refers to the Spanish nation' (El País, 29 June 2010b).⁷¹ The reading of the ruling by the Spanish parties was basically in terms of Spanish politics: the PSOE was satisfied because most of the PP's appeal had been rejected and the latter was satisfied because some amendments had been accepted. This reaction just added to the Catalan nationalist parties' stupefaction and all quickly backed the civil society-led march on 10 July 2010 to reject the Statute ruling. The PSC also joined the demonstration. The reaction from the Catalanist parties questioned the democratic nature of the ruling, with the Statute having been passed by a referendum, and also the clear-cut positioning that Catalonia's nation-ness was completely rejected.

⁷¹ Author's translation from: 'Lo importante es que el tribunal ha estimado en parte el recurso del PP y cuestiona 50 artículos'; and 'Queríamos un Estatuto constitucional. Valoramos que el Estatuto resultante es plenamente constitucional. Nosotros hemos cumplido con nuestra obligación. Además, se deja bien sentado que el término nación con carácter vinculante solo corresponde a la nación española.'

Amongst the most Catalanist leaders of PSC the ruling was perceived as a turning point. A former PSC minister in the Catalan government argued that

‘[i]t is not admissible that after ratifying an organic law by the citizenry the Constitutional Court may modify the [people’s] will expressed through universal suffrage.’ and she added that ‘the surprise is incredible when, after the referendum, and thinking that [...] some parts had been lowered down in the Spanish Parliament, we [believed] that that was our Statute because it had been ratified and there [were] twelve people [...] that had decided otherwise. This has never been accepted and has boosted a sentiment that casts doubt on the state’s organisation regarding the recognition of its historical nations.’⁷²

Another member of the PSC leadership, after qualifying the whole Statute reform as a ‘failure,’ put the emphasis on the difficulty of successful constitutional change if made against the wishes of the PP. According to him, ‘in Spain there is not a minimum consensus to move [decentralisation and federalism] forward. Therefore, trying something without or against the PP had all possible difficulties as it was eventually proven,’ and argued that the next step after the ruling, in the view of the PSC, was to ‘recover with politics those elements affected by the ruling’ and to ‘keep putting forward federal reforms,’ albeit admitting that this ‘has an evident political difficulty, that any reform you want to implement, including the Statute, but also of other state structures, you have to do it with the PP. You will not do it against the PP.’⁷³

⁷² Interview with the former Catalan Minister of the Interior (2003-06) and Justice (2006-10). Author’s translation: ‘No és admissible que després de ratificar una llei orgànica per la ciutadania el Tribunal Constitucional pugui modificar la voluntat explicitada en sufragi universal. És com si el Tribunal tingués més pes que el sufragi universal’; and ‘la sorpresa és màxima quan, una vegada ratificat en referèndum, i pensant que... havia tingut alguna retallada a les Corts Generals, però que aquell era el nostre Estatut perquè havia estat ratificat, hi havia un... un, dotze persones que reunides podien decidir una altra cosa. I això ha estat una cosa que no, que no s’ha acceptat mai i que ha creat un sentiment com de posar en qüestió l’estructura organitzativa de l’Estat pel que fa als temes de reconeixement de les nacions històriques’ (Tura 2012).

⁷³ Interview with a leader of the PSC. Author’s translation: ‘recuperar per la via política doncs aquells elements que la sentència ha malmès’; and ‘seguim impulsant les reformes federals espanyoles que s’han de fer. Ara, això amb una dificultat diria política evident, tu... tota reforma que vulguis fer, tant de l’Estatut, però sobretot que són d’estructures d’Estat espanyoles, ho has de fer, doncs amb el PP, no podràs fer-ho contra el PP’ (Iceta 2012).

The feeling that the PP, which has been traditionally hostile to decentralisation and the recognition of Spain's multinational character (Guibernau 2007; Hopkin 2009; Maddens and Libbrecht 2009), and the PSOE, which had believed that the ruling was not that bad and could finally be rid of the Catalan question, provoked the discourse switch in the Catalan nationalist parties to the right to decide. Both CiU and ERC assumed that the Court's ruling meant that the accommodation of Catalan demands would always be objected by the Spanish parties and set the agenda for the Catalans going their own way, albeit at different paces. The ERC called for a referendum on independence and CiU put the emphasis on fiscal autonomy first.

Reflecting on the consequences of the whole process of Statute reform, a senior official of ERC argued in an interview that the Statute 'was a historic opportunity, the best imaginable political context in Spain, a friendly president [Zapatero] who stands for a plural Spain says he will approve whatever the Catalan Parliament decides. The Catalan Parliament brings in a new Statute proposal, ambitious, with a clear federal shape [...]. A big step forward was perceived, but this has not worked. [...] The Statute process has claimed many victims [...], some of them were very important in Catalonia, such as federalism. Federalism is over. The Statute process has killed federalism.'⁷⁴ The aftermath to the Statute ruling indeed coincided with the sharp electoral decline of the PSC, the main party that pursues federalism, and public support for independence as shown earlier rocketed after 2010. The effects of the ruling in particular enhanced the perception by many Catalan nationalists, including many in CiU, that the Spanish parties had no intention of recognising Catalonia as a nation within Spain in what has been described as 'nation of nations,' featuring confederal elements (Moreno 2010).

⁷⁴ Interview with the ERC parliamentary leader in Madrid from 2011 onwards. Author's translation: 'una oportunitat històrica, hi ha la millor conjuntura imaginable a Espanya, políticament parlant, amb un president amic que es proclama defensor de l'Espanya plural i que diu que aprovarà tot el que aprovi el Parlament de Catalunya. Un Parlament de Catalunya doncs que acaba consensuant un Estatut nou, molt més ambiciós, de tall federal clarament'; 'era un moment en què es preveia que hi podria haver un salt endavant enorme. I bé, què passa? Doncs que això no ho ha funcionat'; and 'el procés aquest de l'Estatut [...] s'ha endut moltes víctimes per endavant [...], [es] va emportar altres coses que també eren molt importants a Catalunya com per exemple el federalisme. El federalisme s'ha acabat. El procés de l'Estatut ha petat el federalisme' (Bosch 2012).

The leader of CiU, Artur Mas, argued in his speech prior to becoming President of the *Generalitat* that the Court's ruling emphasises a 'crisis in the relationship between Catalonia and Spain' and that a 'new framework was required,' while claiming that the 'Constitutional Court has cut down any possibility that Spain evolved into a plurinational state' and Catalonia should therefore start a 'new path' in what he called a 'national transition' (Mas 2010).

The political climate since the Statute ruling has undoubtedly shifted towards the prospect of Catalan independence. With the CiU-led proposal for full fiscal autonomy, the nationalists aimed at getting both more resources and specific recognition in an attempt to compensate for the amputation of the Catalan Statute. As the party's secretary general observed, CiU 'have been the first co-operator for three decades to achieve a modern Spanish state. We wanted this state to be comfortable for us [...]. In the last decade, [the central government] has not responded in the same fashion. This is fine, perhaps they did not say it, they did not want to, they did not want it to be evident, but nonetheless they have been doing it; and what we looked for which was a comfortable state that would allow us [...] to move forward and establish a prosperous Catalonia, [...] this now we feel it is not possible any more. So for Catalonia to keep existing it needs its own state' and added that a new 'fiscal agreement is the last known step. [...] Beyond this, or facing a rejection of the fiscal agreement, this leads us, everybody, us, but also them, to an unknown scenario.'⁷⁵

As pointed out above, the Constitutional Court's ruling on the Statute was interpreted by the Catalanist political parties as a turning point. The fiscal agreement, consisting of full fiscal autonomy, was presented by CiU as a last offer. When the proposal was

⁷⁵ Interview with CiU's Secretary General. Author's translation from: 'Nosaltres hem estat tres dècades col·laborant com el primer en l'articulació d'un estat que pogués ser molt modern. Un estat que volfem comfortable per nosaltres'; 'fa, aproximadament una dècada cap aquí, vostès no han respost amb la mateixa moneda. No passa res, potser no ho havien dit, no volien ser, no ho volien fer evident, però ho han anat practicant, i allò que nosaltres buscàvem, que era un estat comfortable, que ens permetés, no només sobreviure, sinó tirar endavant i dibuixar una Catalunya pròspera, etcètera, etcètera, com que ho veiem inviable [...], [i] perquè Catalunya continuï sent, necessita estat'; and 'el pacte fiscal és per ells la última estació coneguda. El pacte fiscal és l'última estació coneguda. Superat el pacte fiscal, o una negativa al pacte fiscal, ens aventura a nosaltres, a tots, a nosaltres, però també a ells, a una estació desconeguda' (Pujol 2012).

rejected from scratch by the PP Spanish government, CiU's put forward the demand for an independence referendum, which was seconded not only by ERC, but also by ICV, and even the PSC.⁷⁶ In the post-Statute scenario of growing polarisation of the independence issue, the rejection by the Spanish government to any further demands by the Catalan parties that go beyond the Statute helps consolidating this climate of tension, both amongst political parties and the civil society. We draw amongst this issues briefly in the last part of this section.

2.4. Rejectionist Strategies lead to Polarisation: From the Statute's Ruling to a Referendum on Independence

The aftermath of the Constitutional Court's ruling on the Catalan Statute led to the 2010 Catalan election campaign in which the three main Catalanist parties put forward territorial demands that would alter the status quo marked by the Catalan Statute of Autonomy. As we have seen, ERC put forward a proposal to hold a referendum on independence. The CiU, although not ruling out independence in the long-term by defending the Catalans' 'right to decide' pushed for full fiscal autonomy for Catalonia. The PSC, tied up by the PSOE, which was still in office at the centre, insisted on 'recovering' the parts of the Statute that had been declared unconstitutional through political negotiation, and claimed that the party would try to convince the PSOE to adopt its long-term aim to reform the Spanish Constitution to make Spain a clear-cut federal state, which the party perceived as the best option to accommodate Catalan self-government ambitions and recognition of the specific Catalan identity.

This constitutional change proposals can be codified on the basis of three constitutional outcomes: 'independence,' 'more autonomy,' and 'status quo;' with the three parties ordering its preferences in a different fashion. For the ERC, independence would come first, followed by more autonomy –e.g. the party supported CiU's proposal of full fiscal autonomy– and maintaining the status quo would be the ERC's least preferred

⁷⁶ As pointed out above, the PSC supports a referendum, albeit emphasising that it must be agreed with the central institutions and if the referendum was delivered the party would reject independence.

option. Similarly, CiU would have the status quo as their last option, but would prefer more autonomy –i.e. full fiscal autonomy– to independence. Finally, the PSC would support ‘more autonomy,’ but would rather maintain the status quo than support independence, which would be the party’s last choice. The party’s complete rejection of independence was evident in one of the slogans used in the 2010 Catalan election campaign that read ‘*Ni de dretes, ni independentistes*’ –‘neither right-wingers nor independentists.’ Following Sorens (2008: 328), the ERC thus adopted a clear-cut ‘independentist’ position, the CiU a ‘radical-autonomist’ position, and the PSC a ‘regionalist’ stand. On the other hand, the order of preferences of the central government facing constitutional change traditionally is quite the opposite. Central governments’ top priority is to maintain the status quo and conceding independence is the last option, whereas granting more autonomy to the region(s) would be considered a less evil scenario than independence that central governments would use to cut down separatist ambitions (Zuber 2011; see also Rudolph and Thompson 1985; 1989).

This pattern accurately exemplifies the scenario on Catalan-Spanish dynamics since June 2010. CiU comfortably won the 2010 election and the Catalan parliament supported a cross-party demand for full fiscal autonomy, which also received the full backing of ERC and a more diffuse support from the Catalan Socialists. The newly elected Spanish government of the Partido Popular, however, flew the banner of the status quo and rejected the proposal for full fiscal autonomy, while countering with a revision of the current regional funding system in late 2013 or 2014. As pointed out above, this reform would not challenge the *tout court* logic of application of the current system. Artur Mas and the leadership of CiU felt the counteroffer was not enough and decided to call for a snap election, in which the party put forward the demand to hold a referendum on independence.

Following again the triad of preferred constitutional options, CiU switched from a ‘radical-autonomist’ position to a more ‘independentist’ one. CiU’s preferred option was full fiscal autonomy, although after acknowledging that the PP’s central government would stick to their preference for the territorial status quo, the nationalist federation switched to its second preference: independence, by putting forward a demand to celebrate a referendum on the issue in order to legitimise the decision.

When looking at the Statute reform process from a wider perspective, it can be argued that the main nationalist parties in Catalonia have been progressively switching their positions to favouring independence. Indeed, demands for more autonomy such as the Statute reform were initially met with a will to negotiate by the PSOE's central government. However, the evolution of the reform, marked by the Constitutional Court's ruling, was perceived as a unilateral breach of the compromise achieved, thus adding fuel to the perception of Catalan nationalist parties that the centre is untrustworthy. This leads to the scenario where any action taken by the centre is to be perceived as suspicious or determinedly hostile against the interests of the sub-state nation, which some claim it has led to Catalan leaders enhancing sentiments of 'victimism' (Colino 2009). However, it is clear the leaders in the periphery may take advantage of this considered grievances and will draw upon the separate (or differentiated) national identity of many citizens in the region to denounce this grievances and put forward projects, such as independence, which in well-off regions are presented and regarded as a viable option (Guibernau 2000a; Sorens 2004).

The last 2012 Catalan election returned a majority in the Catalan parliament for CiU and ERC, which alongside ICV and the CUP, have passed resolutions declaring the right of the Catalan people to decide their constitutional future and the determination to call for a referendum on Catalonia's future. Having opposed granting further fiscal autonomy to the Catalan institutions, the Spanish government of the Partido Popular has thoroughly opposed such a referendum to take place, arguing that it would be against the Spanish Constitution, which in its Article 2 consecrates the 'indissoluble unity' of the Spanish nation. The rejection to the Catalan demand to hold a referendum by the Spanish government has been accompanied, as we have seen, by the offer to reform the regional funding system although without conceding any 'privileges' to Catalonia; whereas the PSOE is debating a reform of the Constitution to counter the demand for a referendum on independence.

It yet remains to be seen if CiU is only using secession as a threat to force the central institutions to give up some concessions involving further self-government powers, possibly involving fiscal autonomy. This kind of 'opportunism,' however, carries it risks, since once used it might be difficult to realistically prove that it will not be used

again (Meadwell 2009), thus inviting the central government to not give way to further decentralisation because the threat is not credible; or on the other hand it might lead ‘sincere’ secessionists, to use Meadwell’s adjective, to benefit from the former party’s dubitation. It is rather difficult to predict which way the Catalan scenario will evolve to, but the willingness to compromise is fairly evident amongst the UDC, the junior party within CiU, whose leader Duran i Lleida openly claims that the right to decide and the referendum does not equate to independence and that he defends a ‘confederal’ third way (La Vanguardia, 23 September 2013d). The hypothesis that the ambiguity and open discrepancies between leaders in the two parties within CiU may contribute to enhancing an image of dubitation, implying that the call for a referendum is just used as a threat to settle for something less than independence. A tendency that may confirm this hypothesis would be a switch of the voters to support ‘sincere’ secessionists –i.e. the ERC. Recent polls seem to suggest that the ERC would outbid CiU if Catalan elections took place, thus opening the door for a complete shake up of Catalonia’s party system (El Periódico, 27 October 2013).

The blocking attitude of the central government to further constitutional change has been perceived by Catalanist political parties as a legitimisation of independence as the only viable option and as the consequence that the satisfactory accommodation of Spain’s minority nations is impossible. This attitude, according to several Catalanist politicians, not only has an effect on the progressive support of independence by political parties, but also amongst the general public, as recent polls since the publication of the ruling on the Statute have shown (see Figure 3). The President of ERC straightforwardly claims that ‘the state creates independentists,’ and that the reform of the Statute, as pointed out by other leaders of ERC, ‘was a possible alternative to independence, the agreement with the Spanish state. Over and over again the Spanish state shows there is no margin for an agreement and thus makes it crystal clear that the independentists are right. [...] What has changed between the 80s and now is that back then people hoped there would be another way. This hope is slightest every day because consistently there are less ‘other ways’.’⁷⁷ Were ‘other ways’ to be

⁷⁷ Interview with the President of ERC. Author’s translation from: ‘l’estat... fa independentistes’; and ‘era possible una altra alternativa en paral·lel a la de la independència amb l’altra, que era la de l’entesa

seriously and sincerely proposed by the central government, as another former president of *Esquerra* claims, support for independence would fall dramatically:

‘If Rajoy wins the election and says, [...] “the [economic] crisis is terrible, but we need the Catalans. I will guarantee you [Catalans] that once the crisis is over I will let you collect all taxes, I will not bother you any more with your language or culture. Do whatever you want. If you want to forbid bullfighting, do it, anything regarding symbols. I also guarantee you that as much as I can I will invest all that is needed, the Mediterranean [rail]way, because it is in my own interest that things work and that you do well economically”. If Rajoy made this kind of discourse, we are done’ (Puigcercós 2012).

However, the same leader strongly believes that this scenario will never happen: ‘Spain is thought and designed in such a way that this is [...] impossible. [In Spain] no one can compete with Madrid save for Barcelona, and there is a grand project here that has been going on for long, which is territorial hegemony. They used to have it administratively, they have achieved it economically [...] and they also want it culturally, they have always fought for it. This Castilian [core] of Spanish governments makes a solution impossible, so they will keep creating independentists every day.’ Finally, he even admitted that if such a hypothetical scenario such as the one described above was presented, he himself would have problems supporting independence. ‘I am an independentist, but if I was given the *‘concert econòmic,’* Catalan sports teams, and they promise not to bother me again with language issues, then it would be extremely difficult to argue in favour of Catalonia’s independence. [...] Independentists would become something marginal.’⁷⁸

amb l’estat espanyol. Cada vegada que l’estat espanyol demostra que no hi ha cap possibilitat d’entesa, doncs fa més evident que els independentistes tenim raó. [...] El que ha canviat és que als anys 80 hi havia gent que tenia l’esperança que hi hagués algun altre camí possible. I aquesta esperança doncs cada vegada és més petita. Perquè cada vegada hi ha menys ‘altres camins possibles’ (Junqueras 2012).

⁷⁸ Interview with the former Secretary General and President of ERC. Author’s translation from: ‘si el Rajoy agafés i guanya les eleccions i diu, senyors, això de la crisi és terrible. Però necessitem els catalans. A vostès els hi garanteixo que passada la crisi els hi deixaré recaptar tots els impostos, no els molestaré més amb la llengua, no els molestaré més amb la cultura, facin el que vulguin. Si no volen fer places de toros, no facin toros, elements simbòlics. Però jo els hi garanteixo que en la mesura que jo pugui faré totes les inversions, faré el corredor Mediterrani, perquè vostès m’interessa que funcionin i econòmicament vagin bé. Si el Rajoy fa aquest discurs, ens desarma’; ‘Espanya està pensada de tal manera i dissenyada de tal manera que és inviable... és inconcebible’; ‘ningú és competència de Madrid,

The perception that attitudes of the central government towards Catalan demands for self-government have a direct impact on the recent developments leading to an increased polarisation of the territorial question and saliency of the debate on Catalonia's independence is shared by some former leaders of the PSC, with former Catalan PM José Montilla claiming it has led to a well-established sentiment of 'disaffection' from Catalonia towards Spain (El País, 8 November 2007b). A former Socialist minister in the Catalan government recognised that this sentiment amongst the public indeed existed. She pointed out that this sentiment of 'disaffection and separation from Spain is growing' and was due to the 'perception that there is a reiterative incomprehension [...] that the sentiment of belonging to the Catalan nation is undermined [...]. I think that an important part, even probably most of this sentiment [of disaffection] is related to the lack of reaction of the state's institutions. I mean, the state cannot aim to rule with a blind eye regarding different singularities, of different kinds [...] [including] territories with a strong feeling of belonging to a historical nation.'⁷⁹

Hence, the rigidity of the central government in attending Catalan demands is directly linked not only to parties' positioning on the independence debate, but also directly linked to the growing support for independence among the population. Arguably, popular views on independence might have an effect on political parties' territorial proposals, which is what will be discussed in the third section of this chapter.

extret de Barcelona. I aquí hi ha un projecte atàvic [...] hi ha un projecte atàvic que ve de lluny, que és l'hegemonia territorial, la van tenir administrativa, l'han aconseguit econòmica, però se'ls està enfonsant, i la volen també cultural, l'han batallada sempre. I això, la matriu castellana dels governs espanyols fa inconcebible una solució, per tant, cada dia aniran fent més independentistes'; and "jo sóc independentista substancial, però clar, a mi em donessin el concert econòmic, seleccions catalanes esportives, i no em molestessin amb la llengua, doncs òstia, seria molt difícil defensar la independència de Catalunya. [...] [E]ns quedem amb una cosa marginal els independentistes' (Puigcercós 2012).

⁷⁹ Interview with a former PSC Catalan Minister. Author's translation from: 'el sentiment de que... de desafecció i despreniment amb Espanya cada vegada és més gran perquè ho és'; and "la sensació de que aquesta incrompensió reiterada una i una altra vegada de que el sentiment de pertinença a la nació catalana doncs és menystingut [...]. Per tant, jo crec que en molt bona part, per no dir la immensa majoria d'aquest sentiment hi té a veure la manca de reacció de les institucions de l'Estat. És a dir, l'Estat no pot intentar governar tapant-se els ulls de que té una singularitats diverses, del tipus que siguin [inclosos] [...] territoris amb un gran sentiment de pertinença a una nació històrica' (Tura 2012).

2.5. Does Territorial Management Exacerbate Territorial Demands in Catalonia?

The inherent ambiguousness of Spain's Constitution allowed Catalan nationalists, exemplified by CiU's position on self-government, to feel more or less comfortable with a Constitutional framework that gave Catalonia the title of 'nationality' within the 'indissoluble unity of the Spanish Nation.' This constitutional ambiguity allowed for flexibility both in symbolic issues and decentralised allocation of powers to the seventeen Autonomous Communities, although successive reforms culminated in the late 1990s and early 2000s confirmed the 'symmetrical' logic of the decentralisation system (Colino 2010; Guibernau 1996; 1997; Keating 1998b). The neo-centralist policies of the second Aznar government and a reinforcement of the mononational character of the Spanish state accounted for a certain discontent in Catalonia, which was translated to an electoral boost for the independence supporter of the ERC in the 2003 Catalan elections (Guibernau 2007). After a double government change in Barcelona and Madrid, both executives opened the possibility to reform the Catalan Statute of Autonomy, which nevertheless was part of a wider plan to expand the self-government of other regions through reforms of several Statutes of Autonomy (Grau 2011).

The negotiation process of the Statute of Autonomy, with a significant modification of the initial Catalan proposal after bilateral and multilateral negotiations between the PSOE and the Catalan parties (Colino 2009), was eventually approved by the Catalan voters in a referendum in 2006. The reform, however, had been completely opposed by the PP (van Houten 2009), which claimed that the Statute threatened Spain's unity and appealed against the new Catalan Statute to the Constitutional Court. Political parties in Catalonia, even the ERC, which had opposed the reform in the late stages due to considerations that the will of the Catalan Parliament had not been respected in the Madrid phase of the negotiation, assumed the verdict of the Catalan people and considered the Statute to be the political outcome of a compromise between Catalonia and Spain, with both parliaments supporting the reform, validated by the Catalan voters. The Constitutional Court's ruling that declared part of the Statute to be

unconstitutional was perceived as a unilateral breach of the aforementioned agreement by the main Catalanist parties –the CiU, the PSC, the ERC, and the ICV. On the other hand, both the PSOE and the PP were satisfied with the ruling. The former understood that the party's view had been 'basically' validated, quoting PM Zapatero, whereas the PP took praise that because the party had done their 'duty,' the Statute was entirely within the boundaries of the Spanish Constitution.

The Court's ruling added up to the perceived grievances of the central institutions to Catalonia, mainly denounced by the nationalist parties; but also admitted by the PSC regarding the actions of their state-wide counterpart, the PSOE. In the aftermath of the Constitutional Court's ruling a massive demonstration was called in Barcelona to ascertain the Catalanists' claim that Catalonia is a nation and is therefore entitled to decide its constitutional future. With several parties, most notably ERC, openly campaigning for independence, the more moderate views of CiU were backed by the voters and led to the proposal of full fiscal autonomy for Catalonia as a last opportunity to avoid independence. The central government's rejection to this proposal triggered the implicit threat of CiU and the party campaigned for a referendum on independence, a position that was backed by other Catalanist political parties.

Mainstream Catalan nationalism was traditionally regarded as non-separatist (Guibernau 1997; 2000b; Keating 1997; 1998a). This has undoubtedly changed in a very few years. To what extent is the state's behaviour responsible for this breakthrough of independence support, not only amongst the CiU, but also amongst the Catalan public? It seems clear that the Catalan political parties wanted to negotiate a new deal with the central government; that was the reform of the Statute of Autonomy. The Court's ruling confirmed the perception amongst Catalan parties that the state had not fulfilled its part of the deal, which led to a renegotiation, exemplified by the demand for further fiscal autonomy. Before the ruling, the Catalanist parties understood the agreement to be valid and, although negotiations remained open –e.g. on the regional funding system reform of 2009– the Statute was not put into question, not even by the ERC. The perceived unilateral breaking up of the agreed constitutional status, validated by the Catalans, is justified as the necessity to achieve another agreement.

However, the rejection to negotiate further autonomy on behalf of the central government has led political parties, most notably the CiU, to forsake this option and pursue higher demands, which are exemplified in the claim to hold a referendum on independence. Unsurprisingly, the central government has so far rejected any approach for a referendum on the constitutional status of Catalonia to take place. This rejection is challenged by some that ask for an offer for more autonomy to be made to avoid secession, such as the federal reform of the Constitution long demanded by the PSC and currently under debate among the PSOE leadership (PSOE 2013) or the suggestion that a ‘third way’ should be offered or at least considered in an hypothetical referendum, as it has been argued by the leader of *Unió*. However, if flexibility and a will to negotiate is not shown on the part of the central government, the Catalan government is considering to exacerbate its position by calling a new election and declaring independence unilaterally if the parties that support this possibility achieve an overall majority (CATN 2013).

When discussing the processes of decentralisation in Europe in the 1960s and 1970s, the literature on territorial politics has traditionally asserted that granting autonomy was a better strategy than denying the claims from the periphery or challenging them with violence, since violence and denial might reinforce such claims, whereas flexibility through the decentralisation of political authority was regarded as a satisfactory mechanism both to minimise violence and to maintain the unity of the state (Brancati 2006; 1994; Horowitz 1981; 1993; Keating 1988; Rudolph and Thompson 1985; 1989). The current scenario may provide similar outcomes. Albeit the use of violence seems to be completely out of the scene in Catalonia, the inflexibility of the central government of the PP to stick to a vision of Spain as a mono-national state without taking into account the demands of Catalonia may lead to a polarisation of views in the country among those who deem independence as the only solution and those who claim that no further concessions should be granted. The middle ground, today represented by the PSC is pulled out by the two sides and its political relevance is shrinking in accordance with the party’s last electoral results. Catalan SNRPs, as clearly exemplified by CiU, seem to point out that the state is not willing to give ‘voice’ nor ‘recognition’ to Catalan demands. Lacking those elements, they seem to push for the ‘exit’ option (McEwen and Lecours 2008).

The lesson in Catalonia is that while the negotiation for a new status was openly discussed and agreed, further territorial demands were contained both amongst political parties and the electorate. However, once the agreement that the Statute of Autonomy was unilaterally broken by the state, the lack of a state-led response to amend the situation has led to a rapid increase of the demands for a solution, and once this was rejected in turn, support for enhanced demands appeared in strength through a cross-party support for a referendum on Catalonia's independence. This demand has been accompanied by increased popular support for independence and astounding levels of mobilisation amongst the Catalan independentist civil society, as will be discussed in the last section of this chapter.

3. Public Support for Constitutional Change and Civil Society Mobilisation

Political parties intend to maximise their votes as a way to gain office and implement their preferred policy choices (Strøm 1990). Consequently, parties that aim at controlling office might be more responsive to the electorate wishes in order to increase their share of the vote. This framework may apply to different policy options, including territorial politics and the constitutional status of sub-state nations, where the territorial cleavage tends to be rather salient. Thus, if the so-called 'median voter' demands further autonomous powers for the sub-state institutions, it is feasible that the political parties will react to this demand. On the one hand, nationalist and regionalist parties may incorporate these territorial demands in their party manifestos while parties at the centre may want to attend the demand for more autonomy by transferring more authority to the regional governments in order to appease the demands and cut short support for more ambitious proposals, including support for independence (Sorens 2004). Thus, this last section explores whether public support for constitutional change and civil society mobilisation drive territorial demands in Catalonia.

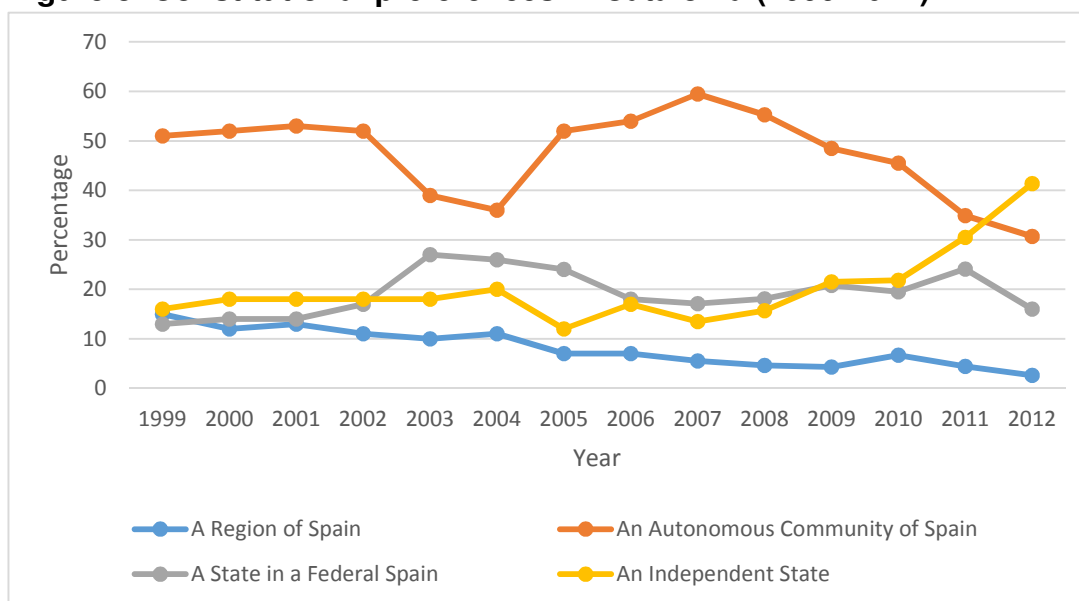
3.1. Constitutional Preferences

The *Institut de Ciències Polítiques i Socials*, ICPS –Institute of Political and Social Sciences– carries out an annual opinion survey in Catalonia. Figure 3 shows the results of the annual question on constitutional preferences, in which respondents are asked to choose their preferred constitutional status for Catalonia. The question offers four possible answers: ‘a region of Spain,’ ‘an Autonomous Community of Spain,’ ‘a State in a federal Spain,’ or ‘an independent State.’ It should be noticed that this type of question, albeit useful in perceiving the general public trends for the constitutional status of Catalonia, is not very precise in determining whether people desire expanded self-government or, for that matter, a reform of the Catalan Statute of Autonomy. For example, a person that desired a new Statute of Autonomy for Catalonia could still be satisfied with Catalonia being an Autonomous Community in Spain, albeit with extended powers. The results on Figure 3 clearly show that throughout the period of the Statute reform process –from the early 2000s when the reform was initially discussed by the leftist parties up to 2010, when the Constitutional Court ruling was published– the first constitutional option of the Catalans was Catalonia being an Autonomous Community. However, we can notice two interesting variations during this period.

First, support for an Autonomous Community status fell about ten points in 2003, and even a bit more in 2004. This period coincides with the last year-and-a-half of the PP in office at the central government and the government change in Catalonia, with Pasqual Maragall, a committed federalist, acceding to the presidency of the Generalitat. Simultaneously, it can be appreciated that support for the federal option precisely increased, thus compensating for the fall of support for Autonomous Community status.

Hence, it can be interpreted that there was some increased support for further powers for the Catalan institutions, while taking into account, as argued above, that we cannot know through this question whether those who preferred to keep an Autonomous Community status wanted the reform of the Statute of Autonomy or not.

Figure 3. Constitutional preferences in Catalonia (1999-2012)



Source: ICPS annual opinion survey (1999-2012).⁸⁰

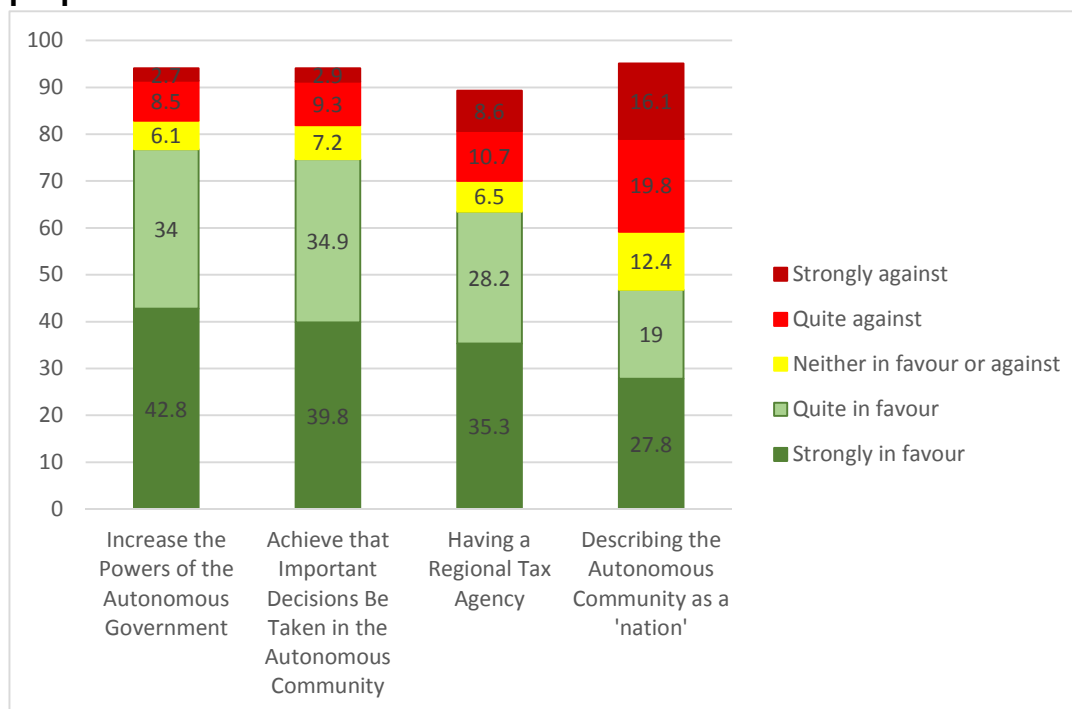
The second trend that can be appreciated is that in 2005 support for Autonomous Community status received the backing of a majority, with support for independence falling sharply. The increase in support for an Autonomous Community status kept growing up until 2007, when it reached a maximum of around 60% of support, and from then it started to decrease steadily. This period (2008-2010) coincides with the uncertainties pending the Constitutional Court ruling and is accompanied by a substantive and sharp increase in support for an independent Catalonia, to the point that in 2012 the latter is the preferred option for around 40% of the Catalans. This increase, which is sharper after 2010 –when the ruling on the Statute was published– indeed suggests that the Constitutional Court ruling meant a turning point in the popular views on Catalan self-government. This episode will be discussed in the following section and also in the following chapter when discussing public opinion in more detail.

Back to the popular views on the Statute of Autonomy, the *Centro de Investigaciones Sociológicas* (CIS) conducted another survey in December 2005, which included specific questions on the Statute of Autonomy. The survey reported that almost half of

⁸⁰ The constitutional options in the original in Catalan read: ‘Una regió d’Espanya’; ‘Una Comunitat Autònoma d’Espanya’; ‘Un Estat d’una Espanya federal’; and ‘Un Estat independent.’

the Catalans (48%) desired greater autonomy for the Autonomous Communities and a further 20.7% a 'State that recognises the possibility for autonomies to become independent nations.'

Figure 4. Public support to different aspects of the Statute reform proposal



Source: CIS (2005).⁸¹

The same survey reported that a quarter of the respondents perceived a Statute reform to be 'very necessary' and a further 38.5% to be 'quite necessary.' On the other hand, a quarter of the respondents combined to perceive a Statute reform to be very or quite unnecessary (CIS 2005).⁸² Therefore reform of the Statute was backed by the Catalans, albeit with no exceptional enthusiasm, or put it differently, a reform was not

⁸¹ Author's translation of the answers. These read in the original, from left to right as shown in Figure 4 as follows: 'Incrementar las competencias del gobierno autonómico'; 'Lograr que todas las decisiones importantes se tomen en la Comunidad Autónoma'; 'Tener una Agencia tributaria propia'; and 'Denominar 'nación' a su Comunidad Autónoma.'

⁸² Author's translation of the answers of the constitutional question from the original: 'Un Estado en el que las Comunidades Autónomas tengan mayor autonomía que en la actualidad' and 'Un Estado en que se reconociese a las autonomías la posibilidad de convertirse en naciones independientes.' The phrasing of the answer that describes a State that would allow the Autonomous Communities to become independent nations is normally equalled to support for independence.

thoroughly opposed. Finally, this 2005 survey also asked about the particular support for different issues embedded in the Statute reform. Figure 4 shows four of these issues and whether respondents were strongly/quite in favour; strongly/quite against; or neither in favour or against them.

Figure 4 clearly illustrates the popular level of support at the time of the reform of the Statute for the three different areas that the Catalan legislators were aiming to reform: authority powers, fiscal powers, and symbolic recognition. In terms of authority, an overwhelming majority of around three-quarters of the respondents backed, either being strongly in favour or quite in favour, further decentralisation of powers, shown in the first two columns on the left-hand side of Figure 4. Extended fiscal powers through the establishment of a regional agency that would have at least a say on tax-raising in Catalonia was also strongly backed, although support was slightly smaller than that for decentralisation of authority. Still, more than 60% of the respondents were in favour of the Statute delivering more fiscal powers. Finally, support was certainly lower regarding the symbolic elements of the Statute, exemplified by the controversial decision to define Catalonia as a ‘nation.’ Less than half of the respondents were in favour of the symbolic recognition of Catalonia as a nation.

Survey data from the period when the Statute reform was discussed in the Catalan parliament suggests that the Catalans did not oppose such reform. They were generally in favour although it was certainly not the people’s top priority. Regarding the contents of the reform, it seems that Catalans gave priority to extending the authority powers of sub-state institutions, and also backed further fiscal powers. On the other hand, symbolic demands, exemplified by the definition of Catalonia as a ‘nation’ in the Statute received less backing from the respondents.

As shown in Figure 3, the decrease in support for the status quo, which nevertheless remained as the majority option, was not transformed into an increase in the popular demand for independence, but showed a slight increase in the demand to transform Spain into a ‘federal state,’ which can be interpreted as a demand for more autonomy. However, discussions to reform the Catalan Statute preceded this opinion shift as we have seen, and even CiU openly supported the reform in the run-up to the 2003 Catalan election. Therefore, it seems that the demand to reform the Catalan Statute of

Autonomy was elite-driven rather than the Catalan public pushing the elites to demand further powers for Catalan institutions. Figure 4 confirms this assumption, with opinion polls showing that the reform was backed by the citizenry but without an exceptional enthusiasm.

Public support for Catalonia keeping its status as an Autonomous Community recovered and even reached its zenith during the Statute reforms negotiations and approval during 2005 and 2006. Furthermore, the modest voter turnout (49%) may be an indication that the Statute reform was not perceived as a priority by the Catalans, thus confirming the mild indifference of the public towards the reform and discarding it as a result of popular mobilisation.

However, once the new Statute was approved by referendum and it was time to develop its content and negotiate the reform of the regional funding system, a progressive decline of public support for Catalonia retaining its status as an Autonomous Community can be appreciated since 2007, alongside a progressive increase of the options of independence and federalism, with independence support coming from its lowest point in 2005. The progressive fall in the support for the ‘autonomic’ status quo after 2006 was accompanied by the uncertainty on the final outcome of the statute pending the ruling of the Constitutional Court and also the sponsored demands by the Catalan parties to the central government to fulfil the Statute clause regarding the execution of the investments in public infrastructures in Catalonia.

3.2. The Mobilisation of Catalan Nationalist Civil Society

Pro-independence civil society had been active for years, although remaining with a limited scope, but other groups were starting to be created, such as the ‘*Plataforma pel Dret a Decidir*’ – ‘Platform for the Right to Decide’ – which organised a demonstration on 18 February 2006 in order to influence the negotiation process of the Statute in Madrid (CATN 2013); and another one, backed by the Catalan nationalist political parties on 1 December 2007, emphasising the economic dimension of the Statute content and marching through Barcelona under the slogan ‘We are a nation and we say

enough! We have a right to decide on our own infrastructures.’⁸³ This march aimed to put pressure on the central government to execute the agreed investments in infrastructures on the Statute –the 3rd additional clause of the Statute that envisaged an investment in infrastructures equivalent to Catalonia’s share in Spain’s GDP– and which had become relevant particularly after several malfunctioning incidents in the Barcelona regional railway system (La Vanguardia, 2 December 2007).

Civil society mobilisation experienced a turning point in September 2009 when a local non-binding referendum on independence was held in the coastal town of Arenys de Munt. The consultation had been organised by individuals with the support of the town council, and had significant repercussion in Catalonia after fascist Spanish nationalists travelled to the town to boycott the unofficial poll, although no relevant incidents occurred after a heavy police presence was deployed. This episode kicked off a contagion effect and in December 2009 many other consultations on Catalan independence were organised across Catalonia by recently created platforms based in each municipality, with a nation-wide organisation charged with the coordination and logistic support. Consultations kept taking place in different towns and in different waves, culminating in a consultation in Barcelona in April 2011.

While these waves of unofficial and non-binding consultations organised by the civil society at the local level occurred, the ruling of the Constitutional Court was published in late June 2010. The following day, *Òmnium Cultural*, a Catalan organisation that defends and promotes Catalan language and culture (Guibernau 2000a), called for a demonstration in Barcelona on 10 July to reject the ruling. The main Catalanist parties immediately joined the call to march under the banner ‘*Som una nació, nosaltres decidim*’ –‘We are a nation, we decide.’ After several negotiations between the organisers and political parties, the former Presidents of the Generalitat and speakers of the Catalan Parliament led the march, followed by the the banner and senior leaders

⁸³ Author’s own translation: ‘Som una nació i diem prou! Tenim dret a decidir sobre les nostres infrastructures.’

of the CiU, the PSC, the ERC, and the ICV, in a reported one-million strong march that collapsed the streets of Barcelona (La Vanguardia, 10 July 2010b).

3.3. Does Civil Society Mobilisation and Public Support for Independence Explain Territorial Demands?

The effects of the ruling on the Statute translated this social mobilisation to the electoral arena, with the creation of '*Solidaritat Catalana per la Independència*' (SCI), a broad single-issue coalition campaigning for the Parliament issuing a unilateral declaration of independence after the forthcoming 2010 election. The link between civil society mobilisation and the creation of this party was straightforward, with the party list being led by the former chairman of FC Barcelona, Joan Laporta, a charismatic personality that drew upon the recent sporting successes of the football team to increase the public appeal of the party; then Mr Alfons López-Tena, a jurist that had been the national representative of the country-wide organisation of the non-binding referendums on independence; and Mr Uriel Bertran, which had been a leader of ERC. The newly created party represented a direct competitor to the ERC, which also influenced in the party's demand for a referendum on independence in the 2010 election campaign. The election resulted in the ERC share of MPs cut by half while the SCI returned four MPs in the Catalan Parliament. CiU, which comfortably won the election, had acknowledged the public discontent with the ruling but campaigned for full fiscal autonomy as explained above. In a TV debate amongst the candidates before the election, the ERC candidate challenged Mas to call a referendum on independence if he were to lead the next Catalan government; Mas however rejected such a possibility by claiming that independence was too a divisive issue and that full fiscal autonomy had a wider consensus amongst the Catalan people.⁸⁴

The CiU government set the agenda on demanding full fiscal autonomy but the most nationalist elements of Catalan civil society did not sit and wait and launch an open

⁸⁴ 2010 Catalan Election debate on Catalan public broadcaster TV3. 'Debat Electoral. Debat a 6,' available at: <http://www.tv3.cat/3alacarta/#/videos/3227350>.

pro-independence discourse. Soon after the non-binding referendum took place in Barcelona, the '*Assemblea Nacional Catalana*' (ANC) was created on 30 April 2011 with the aim of 'mobilise a majority of the Catalan people to achieve, in a pacific and democratic way, the following national objectives,' mainly Catalan political independence based on the right of self-determination through demanding the Catalan Parliament to call for a referendum on independence or a unilateral declaration of independence if the former option was forbidden by the Spanish institutions (ANC 2011). Quickly after its foundation, local branches of the association were created in many Catalan municipalities and different activities, such as marches, conferences, and campaigns have been carried out by the association's members in order to divulge the benefits of Catalan independence amongst the wider population.

Most significant was the demonstration called on Catalonia's national day, 11 September 2012 under the banner of '*Catalonia, nou estat d'Europa*' – 'Catalonia, next state in Europe' – that again gather one million people in Barcelona marching under a straightforward secessionist motto and that received the support of Catalan nationalist parties. This time, though, the PSC did not attend formally, although some of its most Catalanist members did (La Vanguardia 2012). The demonstration took place a few days before Catalan President Artur Mas formally demanded full fiscal autonomy for Catalonia, which was rejected by the Spanish PM and led Mas to dissolve the Catalan Parliament and call for a snap election. During the debate in which the new election was announced, Mas justified his decision also on the relevance of the popular claim for independence expressed in the Barcelona march. He said that 'the voices in the streets, [expressed] massively and in strength, must be transferred to the ballot box. If our country has to begin a process of such a magnitude and complexity, the unequivocal avail of the Catalan people is required' (Mas 2012: 2).

The massive mobilisation of 2012 went hand in hand with some polls showing that support for independence has increased dramatically since 2010 and by 2012 was the preferred option by the Catalans (see Figure 3). This increase in support however is not perceived entirely by the political parties as exogenous. The nationalist parties, CiU and ERC, claim its share of responsibility in the current state of public opinion and high levels of Catalan nationalist mobilisation for independence. The ERC party

president argued in an interview that ‘there is a traditional independentism with a highly emotional character, based on linguistic, cultural and historical issues [...] and this independentism has been reinforced by another kind of independentism which is more rational, more economic.’⁸⁵ The addition of this rational or economic-based support for Catalan independence, which may have boosted the numbers of pro-independence supporters is claimed by the former president of the party as ERC’s work. He argued that ‘independence is not only about cultural, national, or identity elements, but also about an economic reality, which is that with political dependence Catalonia has economic problems. To put together these two issues is not easy. Many other nationalisms have not achieved that. I think it says a lot about *Esquerra* that we managed to bring together these two elements.’⁸⁶

Similarly, CiU boasts that they have been able to pull towards more secessionist positions at least a majority within their electorate. According to the secretary general of CDC, the progressive increase of the party’s demands responded to the strategy of ‘keeping demands gradual’ led to a constant ‘pulling of the people CiU to a certain positioning,’ although also admitting that the ‘ruling of the Constitutional Court and the dynamics of the [economic] crisis and the way [the Catalan government] has had to act in the crisis makes that all this [sentiment] has its own dynamics.’ Furthermore, he argued that the party’s position in government made them necessary, but not sufficient in making independence happen. He argued that ‘CiU has been essential and is essential. [...] However, some in the state’s central institutions, the government, and the parties give as an almost exclusive role: they do not say that we have been essential, no, they claim it has been just us. So they say, ‘Mas, you have created this situation and you will solve it.’ This is a mistake. [...] We have evolved and we have been

⁸⁵ Interview with the ERC party president. Author’s translation from: ‘hi ha un independentisme tradicional, que té un caràcter molt emocional, diguem-ne, que té els seus fonaments en les qüestions lingüístiques, culturals i històriques [...]i aquest independentisme doncs s’ha vist reforçat per un altre independentisme de base més racional, més econòmica’ (Junqueras 2012).

⁸⁶ Interview with the former President and Secretary General of ERC. Author’s translation from: ‘La independència no és un element només cultural, nacional, identitari, sinó que va lligat d’una realitat econòmica que amb la dependència política, Catalunya té problemes econòmics. Soldar aquests dos temes no és fàcil. Hi ha molts nacionalismes que no ho han aconseguit, jo crec que va a favor d’Esquerra que hem aconseguit soldar els dos temes’ (Puigcercós 2012).

skilful in interpreting [what was going on]. We have a lot of influence, but [...] without President Mas or without *Convergència i Unió* the tension in the country would remain.’⁸⁷ However, he also claimed that CiU had been the spearhead during the 1980s and 1990s in demanding more powers for the Catalan government, arguing that ‘nobody asks us to have our own police forces [*Mossos d’Esquadra*]. Nobody asked us to implement a linguistic system in Catalan in schools. [...] The [11 September 2012] demonstration sets a path and you can either follow it at a distance or completely embraced it, and we did the latter.’⁸⁸

After winning the 2012 elections with the promise of a referendum on independence, CiU seems to have taken in the message launched by the 11 September demonstrators, although claiming at the same time that without the party’s past actions regarding self-government demands inspired many to adopt Catalanist positions. It remains unclear though if Mas had called for an early election –and put forward a demand to hold a referendum on independence– if the demonstration had not been a complete success; or even if Rajoy’s rebuffing of the ‘fiscal agreement’ proposal had not precisely a few days after the mobilisation occurred. Be that as it may, the fact is that CiU included the referendum on its 2012 election manifesto and, although the party suffered a setback in the election, a pro-referendum majority remains in Parliament as we have

⁸⁷ Interview with the Secretary General of CDC. Author’s own translation from: ‘nosaltres intentem mantenir la gradualitat’; ‘assumim bastant clarament, que com a mínim a la gent convergent, que és un partit d’ampli espectre, els arrosseguem a una direcció determinada. El que aquí acaba passant en part és que, especialment per la sentència del TC del 2010, i sobretot per la dinàmica de la crisi i de com hem d’actuar sobre aquesta crisi, que tot això gairebé té vida pròpia’; and ‘Nosaltres jo crec que hem estat claus i estem sent claus. Però no només per una cosa que a vegades a Espanya analitzen malament [...]. [A] alguns estaments importants de l’estat, i del govern de l’estat, i dels partits polítics de l’estat, ens donen un protagonisme pràcticament exclusiu: diu, no heu estat claus, no, ens diuen, heu estat vosaltres. Per tant, Mas, ‘tu has montado este lío, tu lo vas a desmontar.’ I això és un error. [...]. Nosaltres hem mogut i hem sabut interpretar [...]. Tenim molt protagonisme, però que ningú es pensi que mort el gos, morta la rabia. Sense el President Mas o sense Convergència i Unió, el bullir del país hi seria igual’ (Pujol 2012)

⁸⁸ Ibid. Author’s translation from: ‘Al país ningú ens demanava que tinguéssim els Mossos d’Esquadra, eh? El país no ens demanava que féssim... el país no demanava que féssim la immersió lingüística del català a l’escola, eh? Per tant, nosaltres... el que passa que materialment la manifestació ens permet, en aquest sentit, és a dir, la manifestació et marca un camí, llavors en aquest camí senzillament tu et pots posar a un extrem del vial, obert, eh, en una vorera, o et pots posar al mig del nom del carrer, i ens hem posat al mig del carrer’ (Pujol 2012).

discussed above. Civil society mobilisation has not stopped and still pressure for a referendum to take place as soon as possible. Spearheaded by organisations such as *Òmnium Cultural* and the ANC, pro-independence Catalan civil society has kept lobbying for the referendum or a unilateral declaration of independence, a set of demands that tend to be more assertive than the moderation and setting of a progressive tempo exhibited by CiU. Mass mobilisation remains impressive with another event on 11 September 2013 labelled '*Via catalana*' –'Catalan way'–, a 400 km-long human chain that linked the country from the French border in the Pyrenees along the Catalan coast to the administrative frontier with the Valencian region, beyond the Ebro river (La Vanguardia, 11 September 2013c). The human chain showed that Catalan pro-independence civil society is highly mobilised, although the multitude of polls published recently provide unclear notions on how strong support for independence may be.

Territorial demands in Catalonia have been formally posed by political parties in the last decade. The decision to reform the Statute of Autonomy did not respond to episodes of mass mobilisation. Actually, after some decrease in the popular support for the status quo and a moderate increase of the support for a federal-like reform, it seems that the Catalan public felt convinced by the ongoing Statute negotiations in 2005 and the approval of the Statute in 2006, with support for the *Estado de las Autonomías* reaching its peak. However, civil society elements were vigilant to the fulfilment of the agreed package between the Catalan and Spanish Parliaments and small mobilisations occurred. However, the real turning point was the Constitutional Court's ruling on the Statute. The mobilisation called by the civil society was massively backed by the population and the issue of independence started dominating the political agenda. Furthermore, public opinion since 2010 has showed a substantial increase in the support for independence. The effect of the Court's ruling on the Statute amongst the public accurately represents the scenario of 'a promised offer of autonomy [that] falls through, [then] dashed hopes may lead to a greater resentment than would have existed if the offer had never been considered, and the secessionist alternative may benefit' (Sorens 2004: 733). Precisely, the Court's ruling perceived and presented as a flagrant humiliation by the Spanish institutions has triggered the secessionist ambitions of many Catalans, as suggested by opinion polls and pro-independence

mobilisations. Arguably, the growing support for independence has not influenced the position of ERC, which has been supporting independence for years, but has clearly preceded CiU's demand for a referendum on the constitutional future of Catalonia. In the current scenario, the ruling CiU may find it difficult to renounce the claim to the referendum while public mobilisation remains high, especially combined with the pressure –and electoral threat– of the ERC. Therefore, mass mobilisation and increasing support for Catalan independence have definitely contributed to shape CiU's constitutional horizon for Catalonia. Albeit some in the party claim that the party has been moving consistently towards independence since the assumption of the 'right to decide' as a paradigm in the mid-2000s, the demand for an independence referendum was not put forward until both public opinion and the effects of mass mobilisation were clearly evident that support for independence may contain a majority, which shows that civil society and public opinion have had an influence in the timing, if not the content, of CiU's most assertive territorial demand so far.

Admittedly, the repercussions of the pro-independence mobilisations have not pulled through all parties into supporting secession, the clearest example being the PSC. However, internal tensions have occurred and been prominent between party leaders on whether the party should support or oppose pro-independence mobilisations, as well as the parliamentary resolutions supporting the Parliament's claim to hold a referendum. It seems therefore that mass mobilisation has affected political parties differently and cannot account on itself to explain the evolution of territorial demands in Catalonia. Thus, the following section concludes by trying to provide a comprehensive explanation of the dynamics of territorial demands in Catalonia, combining the effects of party competition, the attitudes of the central institutions towards self-government, and the effects of public support for constitutional change and civil society mobilisation.

4. Conclusion: What Explains the Dynamics of Territorial Demands in Catalonia?

The last decade has seen an astonishing evolution of territorial demands in Catalonia. The Catalan Parliament has moved from endorsing a proposal to reform the Catalan Statute of Autonomy in 2005 and to support a moderate reform of the regional funding system in 2009, to demanding full fiscal autonomy in 2012 and, failing that, declaring Catalonia a ‘sovereign political subject’ and committing to present a proposal for a date and question to be put to the Catalan people in a referendum regarding the secession of Catalonia and its constitution into a new state. How can this significant exacerbation of Catalan demands be explained?

In the last two chapters three main factors have been highlighted in order to account for this evolution. First, the competition between political parties in Catalonia, both between SWPs and Catalan SNRPs and between SNRPs themselves. Second, the responses of central governments to previous Catalan demands and the logic of Spain’s regionalisation process, which has been framed as Spain’s territorial management strategies. Third, a crescent saliency of the territorial debate in Catalonia that has seen several mobilisations for Catalan self-government, including civil society-sponsored marches for independence. This wave of significant public mobilisation has been accompanied by a progressive increase in public support for the secession of Catalonia from Spain according to surveys. This concluding remarks will aim to propose a comprehensive explanation of the evolution of territorial demands in Catalonia.

Two processes may be distinguished in the evolution of Catalan demands since the turn of the 20th century. On the one hand, the demand to reform the Statute of Autonomy and, on the other hand, the redefinition of the paradigm of self-government based on the Catalans’ ‘right to decide.’ First, the reform of the Catalan Statute was mainly motivated by Catalan party politics. As we have seen, the PSC proposed and led a left-wing initiative to reform the Statute of Autonomy to emphasise the dependency of the CiU on the PP. Facing this challenge, the CiU had to respond to its self-imposed role of ‘the party of Catalonia’ and matched the Socialists’ demand, which resulted in the Statute reform enjoying a wide consensus amongst Catalan

political parties. It is true that the 2000-2004 period also coincided with the PP overall majority in the Spanish Parliament and that the ERC got its best electoral result ever, but public surveys seem to suggest that, although showing a certain decline in the support for the *Estado de las Autonomías*, support for independence represented only a slim minority among Catalans.

It is impossible to know what would have happened if the demand to reform the Statute had met the same frontal opposition that the Spanish PP did exercise from the opposition had it remained into government after the 2004 Spanish general election. In any case, the government change in Madrid facilitated the negotiation of the Statute, albeit party competition in Catalonia, especially between CiU and ERC, had set the scope of the reform far beyond what the PSOE was ready to accept. However, public opinion suggests that support for the *Estado de las Autonomías* in Catalonia had recovered its overwhelming support immediately after the ratification of the Statute Reform bill in the 2006 referendum. Support for secession was then at a minimum, and the ERC was happy to accept the will of the Catalans and deploy the new Statute from its position in government.

The new Statute still had to pass the validation of the Constitutional Court, pending the appeal presented by the PP, which had thoroughly and emphatically opposed the reform, both in Catalonia and elsewhere in Spain. The attitude of the PP, heavily criticised by the Catalan nationalist parties and the PSOE, included the recollection of signatures against the Catalan Statute, and the appeal against articles of the Catalan Statute to the Constitutional Court that the PP had no hesitations to support when the same exact articles were included in the new Andalusian Statute of Autonomy (Colino 2009: 266). This sort of action unavoidably showed a sense of anti-Catalanism sentiment in many parts of Spain which were countered in turn by what Catalan President Montilla had called the sentiment of ‘disaffection’ –‘*desafecció*’– of many Catalans towards Spain. This phenomenon was also accompanied by the uncertainty regarding the final outcome of the Court’s decision on the Statute, a Court which was furthermore heavily politicised and the perceptions that the PSOE government was not fulfilling parts of the agreed package of the Statute, eagerly denounced by the SNRPs and placing the ruling PSC in Catalonia in a highly uncomfortable position.

When the Court's ruling was published, Catalan nationalist politicians quickly embraced the 'right to decide' paradigm and pointed out to the controversy that a law validated by the people in a democratic referendum was overruled by a Court which was controlled by and divided between the PP and the PSOE. Under the new scheme of the 'right to decide,' which represented a new phase in Catalan territorial demands, Catalan SNRPs have indeed increased their demands, first by supporting full fiscal autonomy and then demanding to hold a referendum on independence. In this last phase, party competition has remained important, with ERC aiming at independence and CiU, having not been able to deliver full fiscal autonomy as promised in 2010, was compelled to match the ERC's demand for a referendum on independence.

This demand is widely backed across the Catalan public and the level and capacity of civil society mobilisation clearly shows that some deep feeling of unrest is evident in the Catalan society. The massive march against the 2010 Constitutional Court's ruling on the Catalan Statute, again, called upon by the civil society, not the political parties, could be understood as a punctual sentiment of rejection. However, public support for further autonomy –i.e. fiscal autonomy– and independence has reached the highest levels ever recorded in Catalonia. Furthermore, civil society organisations have remained active and have impressed in their mobilisation capacity, clearly exemplified with the 11 September 2012 clear-cut pro-independence march and the following year's human chain that crossed Catalonia from the top to the bottom of the country. This level of mass mobilisation has evidently influenced not only SNRPs, like CiU, but also the PSC, which has been forced to support a referendum, which is nonetheless opposed by its PSOE colleagues, placing the relationship between those parties in a very difficult position.

However, public mobilisation and a considerable support for secession amongst the Catalans is not the main reason for explaining the recent outburst of independence support in Catalonia. The main explanation relies on the reasons that explain this surprisingly high level of public mobilisation, which is the attitudes of central institutions to both Catalan demands and the way Catalan identity is perceived. Mobilisation and public support for independence remained rather low during the negotiation of the Catalan Statute. The Statute was perceived as a good opportunity to

accommodate Catalan nation-ness within Spain and the final outcome was accepted by a majority of Catalan voters. However, the way the Statute ended implied yet another failed opportunity. The praxis of the Spanish government since the Statute was passed was to maintain the central unilaterally-imposed status quo by rejecting all other Catalan demands. This strategy has not appeased them, rather the contrary –e.g. CiU’s proposal to go beyond full fiscal autonomy and seek a referendum on independence. Furthermore, public support for independence shows no signs of retreating and certainly the nationalist civil society mobilisation capacity is maintained at its highest.

To sum up, in Catalonia any claims of asymmetry to recognise Catalonia’s specific national identity are –and have consistently been– rejected on grounds of the equality of all Spaniards and the unviability of any kind of ‘privileges’ for Catalans. This constitutional rigidity was particularly evident during the 2000-2004 PP central government, although the government change in Madrid allowed for a negotiation of the Statute of Autonomy that satisfied a majority of Catalans and most political parties. The unilateral change of the agreement reached through the reform of the Statute and the continued rigidity, especially of the PP, towards granting any concessions or negotiating any flexibility in Spain’s symmetric decentralised model has polarised the territorial issue in Catalonia and in Spain up to levels never known since democracy was restored. It is difficult to predict how the latest demand to hold a referendum on independence will evolve, but if a solution is not envisaged by the central government, either by allowing a referendum vote –highly improbable– or by offering a substantive counteroffer to appease secessionist demands, it is likely that many of those who determinedly support independence today will continue to do so in the near future. However, competition between Catalan(ist) parties had already triggered the dynamics of demand-response-demand since the push to reform the Catalan Statute of Autonomy. Therefore, the unsatisfactory outcome of the Statute reform –from the Catalan nationalist perspective– delivered by Spain’s central institutions only fuelled further arguments, or grievances, for Catalan nationalist parties to increase their territorial aims. This was crystal clear in the case of ERC, which abandoned any prospect of expanding self-government and campaigned for outright independence after the Statute was watered down by the Constitutional Court. It is also true in the

case of CiU, which countered that decision by demanding full fiscal autonomy. However, after facing yet another rejection to their demands, CiU increased territorial demands to match ERC's support for a referendum on independence cannot be explained by the central government's unwillingness to negotiate. Rather, it was a combination of public pressure and, above all, the nature of party competition with ERC which prompted Artur Mas to call for a snap election and to campaign for independence since 2012.

Chapter 7. The Dynamics of Territorial Demands in Flanders and Scotland

1. Introduction

The previous chapters have explored the evolution and nature of territorial demands in Catalonia. Three variables have been considered: political party competition, including competition between SNRPs, and between SNRPs and SWPs; territorial management carried out by the central government in response to territorial demands; and the effect of public opinion on influencing parties' aims and strategies in bringing forward enhanced self-government powers.

The Catalan case has revealed the varying degree of influence of these three factors on explaining the dynamics of territorial demands put forward by political parties in stateless nations. The aim of this chapter is now to broaden the analysis of party competition and territorial demands by looking into two other cases: Flanders and Scotland. This comparative chapter will test whether the dynamics observed in the Catalan case are echoed in these other stateless nations. The comparison will help us refine our hypotheses on the relationship between party competition and territorial demands. The comparison with other stateless nations will also provide a certain degree of variation which will strengthen our study.

1.1. Case Rationale

The chapter will look in turn at the three variables under analysis: party competition, territorial management, and public opinion; which will be analysed for both cases. The case rationale behind comparing Catalonia with Flanders and Scotland is based on the similarities in sub-state mobilisation. In each case there are strong SNRPs which advocate stateless territorial issues and have often been in office at the sub-state level (De Winter 1998a; De Winter, Gómez-Reino Cachafeiro, and Lynch 2006; Erk 2005b; Massetti 2009). Also, SWPs in these three cases have had to react to the presence and electoral relevance of SNRPs, which have involved a redefinition of their political

strategies in order to include the territorial cleavage, and has also led to changes in the internal organisation of such parties in order to effectively address the concerns and specificities of such territories (Deschouwer 2003; Fabre 2008; Swenden and Maddens 2009).

The three cases therefore represent distinctive national realities which have posed a historical challenge to the states to manage such national diversity, including political decentralisation in order to manage specific territorial concerns and to appease regional territorial grievances (Erk and Anderson 2009; Keating 1988; McGarry and O’Leary 2007). Also, in terms of public opinion, popular support for regional self-government and even independence has been moderately high, alongside a considerable amount of voters claiming either exclusive sub-state identities –i.e. Catalan, Scottish, or Flemish– or the sub-state identity having primacy over the state-wide identity (Keating 2001a; Maddens, Beerten, and Billiet 1998; Moreno, Arriba, and Serrano 1998; Swenden 2006).

1.2. Analysis and Hypotheses

The in-depth analysis of the Catalan case carried out in the previous chapters suggested that Catalanist political parties have followed a dynamic of demand-response-demand which has been driven by the competition between parties in Catalonia around the territorial cleavage, but also by the response of the central government to ongoing demands, and the change in the mood of a significant share of the Catalan population towards supporting further regional self-government. Having identified a clear demand-response-demand dynamic in Catalonia, we will now examine whether this dynamic is evident in Flanders and Scotland.

In terms of party competition, the Catalan case shows us that both competition between SNRPs, namely between CiU and ERC, and between CiU and the PSC as competition between a SNRP and SWP has driven all these parties to exacerbate their demands. On that assumption, this chapter discusses whether such patterns of competition exist in Flanders and Scotland. The presence of strong SNRPs such as the New-Flemish Alliance, N-VA, and the Scottish National Party, in opposition to a regionally-strong

traditional party like the Flemish Christian-Democrats,⁸⁹ or the Labour Party, with a traditionally strong power base in Scotland, suggests that party competition will be a sound driver to explain the dynamics of territorial demands in both cases. Although there are no significant other SNRPs in Scotland, the presence of the extreme-right and nationalist *Vlaams Belang* in Flanders is also expected to influence competition between SNRPs in this case.

Empirical evidence of the Catalan case also suggests that a perceived unsatisfactory response to territorial demands by the political parties can lead to an escalation of the parties' territorial aims, as has been exemplified by the process of reform of the Catalan Statute of Autonomy. Political parties in Catalonia, most notably SNRPs, have used the previous state management of territorial demands to denounce the grievances of the central government towards the stateless nation in order to justify enhanced self-government powers or as a justification for demanding independence. Thus, it is necessary to analyse whether such actions undertaken by central governments –and more generally central political institutions, as seen in the Catalan case after the role played by Spain's Constitutional Court– do have an influence on territorial demands in Flanders and Scotland.

In the case of Flanders, where the central government must be constitutionally composed of an equal number of Flemish and Francophone ministers, the main political conflict in recent years has been the rejection of further state reform by the French-speaking parties facing such a demand for reform from the Flemish parties. After a severe government formation crisis after the 2007 election, in which institutional reform had to be left aside, the Flemish nationalists of the N-VA won the 2010 election after which another government crisis ensued (Abts, Poznyak, and Swyngedouw 2012). The relationship between the blockade of constitutional reform and the dramatic electoral success of the N-VA in Flanders shall therefore be analysed.

⁸⁹ The Christian-Democrats and Flemish, CD&V, are no longer a SWP since the split with the Belgian Christian-Democrats in 1968. However, the party is not a Flemish nationalist party.

In the Scottish case it is anticipated that the dynamic of demand-response-remand will also hold some weight. After the SNP won the Scottish parliamentary election in 2007 the unionist parties started discussing further powers for the Scottish Parliament which culminated in a proposal to reform the Scotland Act, which provided devolution to Scotland. However, the recommendations of the Calman Commission were seen to fall short when the SNP was returned to office with an overall majority after the 2011 election, which paved the way for the independence referendum held in September 2014.

Finally, as shown in the analysis of the Catalan case, support for independence has skyrocketed in Catalonia in the last years, following the escalation of territorial demands by political parties and the controversial conclusion of the Statute of Autonomy reform process. The final part of this chapter will therefore examine public opinion on constitutional preferences in Flanders and Scotland to see if there has been any significant changes in the recent years, and whether such changes (if any) have had any impact on the ongoing demands for constitutional reform posed by political parties in all three cases.

2. Party Competition as the Main Driver of Territorial Demands

2.1. Flanders

Belgium, divided by the linguistic border which separates Dutch-speaking Flanders in the North from French-speaking Wallonia in the South, is a rather unique case in the sense that there are no federal SWP (Deschouwer 1997: 77). The three main Belgian traditional parties, the Christian-Democrats, the Socialists, and the Liberals, split up following linguistic and community tensions in the 1960s and 1970s and formed new political organisations that represented separately the Flemish and French-speaking sides of the country (Witte, Craeybeckx, and Meynen 2009). Thus the resulting six political parties broke all their organisational ties with their respective ideological colleagues north and south of the linguistic border, with each party having its own separate ‘party organization, party conference, party executive, party leader,

parliamentary groups, and electorate' (Swenden 2002: 72). Thus, the Flemish Christian-Democrats, Socialists, and Liberals cannot be considered as SWPs as we have discussed them in Spain, but rather as traditional parties which are regionalised –and have acquired as a consequence a strong position and interests in representing Flemish regional interests– but they also still have high stakes on the governability of Belgium as a whole. The newly acquired regional dimension of the Flemish –as well as the Francophone– parties was clearly exemplified by the fact that Belgium's decentralisation mainly occurred after the three party families had split. Such split drove political power from the unitary centre to decentralised *loci* of power (Swenden and Jans 2006).

In terms of constitutional options, the three party families promote further decentralisation but with different degrees of intensity, with the Socialists being more moderate than the Christian-Democrats and the Liberals (De Winter 2006b: 86). The Socialists seemed to be quite content with the federal organisational structure implemented following the 1993 constitutional reform and made no substantial constitutional demands, with the exception of the all Flemish-backed demand of splitting the Brussels-Halle-Vilvoorde (BHV) electoral district which included both Flemish-speakers in the province of Brabant alongside the population of Brussels, which is mainly French-speaking (Govaert 1996; 2003). The Flemish Socialists, currently named *Socialistische Partij Anders* (sp.a), or 'Socialist Party Different' has traditionally been, unlike in neighbouring Wallonia, a small party in Flanders (Wynants 2004: 155).

The other two traditional parties, the Christian-Democrats, currently named *Christen-Democratisch en Vlaams* (CD&V) –Christian-Democratic and Flemish– and the Liberals, named *Open Vlaamse Liberalen en Democraten* (Open VLD) –Open Flemish Liberals and Democrats– do support a further evolution of Belgian decentralisation to defend confederalism under its Flemish view. This would imply that 'the subnational entities are at the centre of the organization and that they are responsible for the allocation of competences and budget to other political levels and not the contrary' (Dandoy, Matagne, and Van Wynsberghe 2013: 347). The Open VLD does not define itself as a nationalist party (Breuning 1997) and has supported confederalism since

2002 (Wynants 2004: 162). The CD&V has traditionally been the party in power both in Flanders and in Belgium (Cartrite 2002) and has espoused confederalism in the last decade (Govaert 2007: 14-5). The party's continuous support for further powers has also been influenced by its electoral alliance with a Flemish nationalist party, the N-VA.

The *Nieuw-Vlaamse Alliantie* (N-VA), or New-Flemish Alliance, is the main SNRP in Flanders. It was created in 2001, but it was certainly not the first Flemish SNRP. The *Volksunie* (VU), or People's Union, had been a rather successful Flemish nationalist party that had played a decisive role in influencing the traditional parties into taking the step towards federal constitutional reform in Belgium (Bouveroux 1998). However, following the country's federalisation, the VU had accomplished its main territorial goal and had to redefine itself, pushing for further territorial decentralisation and eventually supporting independence (De Winter 2006a; Deschouwer 2009c). However, this new territorial profile of the party was not as widely accepted as its former federalisation proposal, and different factions arose within the party. The tensions between these factions were heightened when the party was in government at the regional level but in opposition at the federal level when the fifth constitutional reform was being discussed. Some in the party wanted to support the reform whereas other members wanted to reject it because it was not going far enough (Buelens and Deschouwer 2007). Danny Pieters, who was one of the VU MPs who voted against the constitutional reform, recalled the tensions that led to the implosion of the VU in an interview with the author:

'[there was] a kind of internal establishment, which was in the Flemish government at that moment [...] and there was quite a discomfort with that [...], you have the kind of [rupture] between the bases, the people who voted for Volksunie, [who] were working for Volksunie in local entities, and then the party organisation, which was much more in this other direction, where the independence item was important, but not so important. [...] The [new] party leader of the more grassroots [...] was elected, Geert Bourgeois, but the party establishment was not changed, so you had the party leader, you had the bases, and in between you had other people, and that created more and more tensions, more and more problems' (Pieters 2012).

Internal tensions led to a party conference that decided on the split, with a referendum that faced three options: one advocated the continuation of the party, a second wanted to focus on other issues beside territorial demands, and the third, *Vlaams Nationaal* –Flemish National– led by Bourgeois defended a radicalisation of the nationalist discourse and a clear push for Flemish independence. The rules of the referendum were that if one of the factions achieved a majority, the VU would survive and would follow the winning strategy, whereas if no faction achieved such majority the VU would cease to exist.

The *Vlaams Nationaal* won the vote but fell short of a majority and thus the VU disappeared (Wauters 2005: 337-8). The winning faction decided then to create a new party, the N-VA, which has been regarded as the political heir to the VU (Deschouwer 2009c: 567) and which followed the aim of the *Vlaams Nationaal* faction to achieve Flemish independence (Govaert 2002). Thus, the N-VA is a separatist party which ‘calls for full independence of a Flemish republic within a federally integrated Europe’ (De Winter 2006a: 36). Regarding the strategy that the party would follow to achieve independence, the director of the N-VA noted that ‘we are not a revolutionary party. This will be following a step-by-step strategy and will be an evolution towards independence; [...] so the main next step would really be a confederal reform towards a confederal structure’ (De Zaeger 2012). Confederalism is supported by the OpenVLD, the CD&V and the N-VA. This constitutional horizon would imply an almost complete transfer of competences to the regional level with only certain specific competences, such as defence and foreign policy, left at the central level which would be exercised by a joint government of delegates from both communities, the Flemish and the Francophone.

Lastly, another regional party has become electorally relevant in Flanders. The *Vlaams Belang* (VB) –Flemish Interest– split from the VU in 1978 following a strategic disagreement between party factions after the party had cooperated with institutional reform (Erk 2005a). Although the VB was more ambitious than the VU at the time and campaigned for independence, its electoral breakthrough did not occur until 1987 when the party openly espoused a racist, xenophobic, and anti-immigration discourse (Deschouwer 2009c: 572-3). The other Flemish parties quickly established a *cordon*

sanitaire to prevent such a party from achieving office. Although the party's support for independence would suggest that it shall be regarded as a SNRP, it has been noted that only a minority of its voters support the VB based on its claim for independence, while the majority of its supporters give more weight to its far-right ideological and anti-immigrant stance (De Winter, Gómez-Reino Cachafeiro, and Buelens 2006). In terms of its support then, the VB is therefore closer to the extreme-right party family than to SNRPs.

Table 2 provides electoral results for the Flemish parties since 1999.

Table 2. Electoral results in Flanders for Regional and Federal Elections, 1999-2014

| | Regional | | | | Federal | | | | |
|----------------------------------|-----------------|-------------|-------------|-------------|----------------|-------------|-------------|-------------|-------------|
| Party | 1999 | 2004 | 2009 | 2014 | 1999 | 2003 | 2007 | 2010 | 2014 |
| <i>CD&V</i> | 30 | - | 31 | 27 | 22 | 21 | - | 17 | 18 |
| <i>N-VA</i> | - | - | 16 | 43 | - | 1 | - | 27 | 33 |
| <i>CD&V/ N-VA</i> | - | 35 | - | - | - | - | 30 | - | - |
| <i>Open VLD</i> | 27 | 25 | 21 | 19 | 23 | 25 | 18 | 13 | 14 |
| <i>VB</i> | 22 | 32 | 21 | 6 | 15 | 18 | 17 | 12 | 3 |
| <i>sp.a</i> | 20 | 25 | 19 | 18 | 14 | 23 | 14 | 13 | 13 |
| <i>VU</i> | 12 | - | - | - | 8 | - | - | - | - |

Source: Flemish Parliament and Belgian Federal Parliament

Table 2 shows the strength of the N-VA after consolidating their position as the first Flemish party since the 2010 federal election. The CD&V have been the first party in Flemish regional elections until 2014 while the Open VLD overcame the Christian-Democrats in 1999 and 2003, which led the CD&V to be in opposition at the federal level. Table 2 also shows the progressive decline of the VB, which is made more accurate after the late success of the N-VA.

2.1.1.SNRPs Increase the Saliency of Territorial Issues in Flanders

The influence of SNRPs on party competition was evident in Flanders long before the growth of the N-VA in 2010. The VU traditionally acted as a ‘whip party’ (De Winter 1998b: 44), pressuring governing parties from the opposition to deliver constitutional change. Since the traditional party families split along linguistic lines as we saw earlier, it has been easier for Flemish traditional parties to incorporate elements of the decentralisation discourse of the VU. This is because they no longer faced internal party opposition from their Francophone colleagues (De Winter 2006b: 82). The pressure of the VU was significant in any case, and as it has been pointed out already, the traditional parties brought federalisation to Belgium in response to the demands of SNRPs –the VU in Flanders, but also from regionalist parties in Wallonia. The influence of the VU on the other parties continued when the former started demanding further constitutional change after the 1993 reform, which ultimately led to the 2001 reform. Incidentally, that same constitutional reform led to the implosion of the VU because of the party internal tensions described above. The influence of the VU therefore had repercussions in terms of party competition, and ‘Flemish parties [...] constantly feel this regionalist pressure and all of them therefore tend to defend the claims for more autonomy and extended financial means for the region’ (Deschouwer 2004: 186).

As the Catalan case shows, SWPs have to emphasise their sub-state credentials (van Biezen and Hopkin 2006) in order to be regarded as useful defenders of regional interests. The influence of the VU, in what has been termed ‘*volksuniesation*’ (De Winter, Swyngedouw, and Dumont 2006: 939), was also present in the name changes carried out by the Flemish Liberals and Christian-Democrats, which emphasised their ‘Flemish’ nature –Flemish Liberals and Democrats and Christian-Democrats and Flemish, respectively. Furthermore, after the disappearance of the VU in 2001 the traditional parties tried to seduce former VU voters by paying more attention to territorial issues (Erk 2005a: 499). The influence of the VU was also noted in the 5 resolutions voted by the Flemish Parliament in 1999 that set the blueprint for further constitutional reform, which included financial and fiscal autonomy, further competences in employment policy and the decentralisation of the social security

system (Deschouwer 2005: 100). All three traditional parties voted in favour of these resolutions as a 'first step' for the CD&V and Open VLD to support confederalism.

The collapse of the VU did not imply the end of SNRPs influences on the traditional parties since the N-VA took up the position of its predecessor, the VU, though the first serious challenge of the nationalists, the 2003 federal election, was not very successful. The N-VA contested the 2003 federal election not campaigning for immediate independence, but demanding further decentralisation and making it crystal clear that they would not support any government if constitutional reform was not negotiated (Govaert 2003: 8). The aim of independence however remained the long-term goal which, according to the N-VA, would be achieved by a step-by-step process. The party was also confident that its long-term intentions were clear to the electorate. Discussing this policy of independence, Senator Danny Pieters stated that 'we stand for something and we hope that the population follows and at the beginning they didn't follow' (Pieters 2012). Certainly, the 2003 federal election returned just one MP for the N-VA, the party leader, Geert Bourgeois, and those were 'dark times,' according to Pieters. The meagre electoral results and the electoral law that put the electoral threshold at 5% of the votes led many small parties, including the N-VA, to seek coalitions with larger parties in order to survive. This eased the way for the N-VA to reach a coalition, or cartel, with the CD&V (Deschouwer 2009a: 26).

The cartel was aimed at satisfying both parties, with the N-VA securing a larger partner that would ensure their political representation in forthcoming elections and the CD&V, which had already tried to capture the vote of the defunct VU by defending confederalism, would benefit from the alliance in the hope of getting some extra votes to become the first party in Flanders in a neck-to-neck race with the Open VLD (Gschwend and Hooghe 2008: 558). The alliance between the CD&V and the N-VA stressed the regionalist, confederalist profile of the former (Deschouwer 2009a: 27), especially after the 2004 regional election, which the cartel won. The CD&V, which had been in opposition at both levels since 1999, returned to office at the regional level alongside the N-VA and also the Open VLD and sp.a in order to prevent the *Vlaams Belang* from achieving office. The formation of this government in Flanders in 2004 meant that the CD&V was in power at the regional level but in opposition at the federal

level, notably opposing its two main partners in the Flemish executive: the Open VLD and the sp.a (Buelens and Deschouwer 2007: 83). This generated a strong incentive for the CD&V to strengthen its regionalist profile, as the main Flemish government party vis-à-vis the federal government, which will be further discussed in the next section on government-opposition dynamics. What is also relevant here is that bringing on the N-VA reinforced this regional dimension of the Christian-Democrats.

The influence of the N-VA in stressing the regionalist profile of the CD&V through the cartel was exemplified by the parties' joint commitment for state reform as a precondition to enter the federal government. This was deemed as 'historical' by the Deputy Leader of the N-VA, who recalled that the cartel was sought by the N-VA, apart from securing 'the survival of democratic Flemish nationalism,' because of the commitment of the Christian-Democrats to promote a 'great reform of the state' (Weyts 2012). However, the strengthened regionalist profile of the CD&V had to be nurtured carefully by the party leadership, since the most moderate faction did not want to alienate moderate voters regarding the territorial issue (Sinardet 2008: 1021-2). This desired equilibria reveals that the CD&V strongly resembles the same tactical movements made by CiU in Catalonia, but with an interesting difference: on one hand, CiU increased its territorial profile due to competition with ERC and the PSC by eventually putting forward demands for full fiscal autonomy and later on a referendum on independence, which created some internal tensions within the party federation and resulted in a significant loss of twelve seats in 2012. On the other hand, the CD&V strengthened its regionalist profile not by direct electoral competition with the N-VA, but through cooperation in an electoral cartel.

The cartel was a successful initiative for both parties, not only because they won the 2004 regional election, but also the 2007 Belgian federal election which opened up the possibility to negotiate the great state reform that the parties had vowed to deliver. Danny Pieters claims that the cartel was very interesting for both parties, by saying that:

'they [CD&V] were a bit worn out as an establishment party, they had this experience for the first time in opposition in [a] long [time], so they wanted to have some new... So for them it was interesting at that moment, certainly it was interesting for us' (Pieters 2012).

The 2007 federal government negotiations however lasted long because the Flemish and Francophone parties could not agree on the scope of the federal constitutional reform. The lengthy process delivered an interim government under then current Prime Minister, the Flemish liberal Guy Verhofstadt, while negotiations continued. The N-VA felt that the proposals for constitutional reform felt rather short, whereas the CD&V tried to pressure the N-VA to support government formation (Govaert 2009). The blockade was finally overcome by setting the constitutional reform aside, but with the CD&V becoming the leading party of the federal government, albeit the pressure exercised by the N-VA led to serious tensions between the two cartel members (Sinardet 2008: 1030). The decision of the CD&V to enter government at the expense of postponing constitutional reform preceded the split of the cartel.

It is unclear who broke the cartel, whether the N-VA left (Abts, Poznyak, and Swyngedouw 2012) or conversely the CD&V broke it after the N-VA decided not to join the government (Deschouwer 2009c: 567). The split of the cartel meant that the N-VA could exercise pressure on the CD&V as an opposing partner, which may have led to speculation on the reasons of the CD&V to break it up. Ben Weyts, the deputy leader of the N-VA, suggested that the CD&V gambled by assuming that the N-VA would eventually accept government participation even if there was no constitutional reform. Also, he believes that the CD&V did not think that letting the N-VA go would be too electorally damaging to the Christian-Democrats. According to Weyts, the CD&V rationale would be as follows:

‘[P]robably they [N-VA] won’t get any votes or just the hard-core Flemish nationalists but that’s it and that only amount[s] to 4% or something like that. That was their guess, but after a while with Bart de Wever as president we gained some support in Flanders because that was after the political negotiations for the forming of the federal government, there was [an awareness] of the Flemish public opinion, I think, and radicalisation’ (Weyts 2012).

The split certainly paid off eventually for the N-VA, which won the 2010 federal election with 27 seats to the Christian-Democrats’ 18, although the CD&V had retained their position as first party in Flanders in the regional elections of 2009, which the N-VA contested on its own and becoming just the fifth party in the Flemish

Parliament –after the three traditional parties and the VB. The split of the cartel was regarded by Danny Pieters as a consequence of the CD&V breaking the compromise, and guessed that if the Christian-Democrats had stayed in opposition at the federal level they would not have broken the cartel, while also suggesting that if that had been the case, ‘the Christian-Democrats would have been far better also later on’ (Pieters 2012). Piet de Zaeger (N-VA Director) suggested that achieving office was far more important to the traditional parties than constitutional reform regardless of what they write on their party manifestos. He stated that:

‘the Christian Democrats and the Liberals, also have in their official program confederation, a confederal reform in their program. The only thing is when it’s time to enforce that...on those issues they tend to be what they call ‘statesmen’ and to make a compromise which is far from realising what’s in their program’ (De Zaeger 2012).

The pattern between the CD&V and the N-VA closely resembles the episode of the Catalan Statute of Autonomy in which CiU and ERC were cooperating to bring constitutional change, and the negotiation ended bitterly. The bigger parties, CiU and CD&V, opted to compromise against the wishes of the smaller parties, which did not obtain electoral gains immediately –the N-VA in the 2009 regional election and ERC lost two regional MPs in the 2006 Catalan election. However, tensions between the N-VA and CD&V on one hand, and CiU and ERC on the other, seem to have reinforced the salience of territory on the political agenda for which in the long term the ‘small’ parties –ERC and the N-VA– can put pressure on the bigger parties for their previous commitments and force them to adopt more ambitious proposals. The N-VA clearly enjoyed electoral success by winning both the 2010 and 2014 federal elections and the 2014 regional election, which led the party to hold the presidency of the Flemish government. The success of ERC has been more moderate, with the party recovering 11 Catalan MPs in the 2012 regional election to become the second party in Parliament. However, the party’s victory in the 2014 European elections, in which they

defeated CiU for the first time, may suggest that the Catalan election of September 2015 could be highly competitive between the two Catalan SRNPs.⁹⁰

After the cartel split, the CD&V seems to have slightly moderated its regionalist profile, although the party still pushes for confederalism (Dandoy, Matagne, and Van Wynsberghe 2013). Following the election victory of the N-VA in 2010, in an electoral campaign that was heavily marked by the territorial question (Abts, Poznyak, and Swyngedouw 2012), the CD&V re-entered the federal government and carried forward, alongside seven other parties –including four Francophone parties– the sixth constitutional reform. Nevertheless, all the N-VA officials interviewed for this research claim that the reform is not ambitious enough, which ensures that further reform will be an issue that the N-VA uses to put pressure on the other parties, especially the CD&V.

In terms of party competition, further to the role played by the N-VA, it is worth asking whether the *Vlaams Belang* has influenced party competition due to its policy of independence. The breakthrough of the VB in the late 1980s and early 1990s had an impact on the electoral results of the VU (Bouveroux 1998) while the implosion of the latter party in 2001 suggests that some nationalist voters turned to the VB (Billiet, Maddens, and Frogner 2006: 917-8). Due to the extreme-right, populist, and xenophobic character of the VB it has been argued that the territorial radicalisation of the Flemish elites and the cross-party moves to defend confederalism is more due to the influence of the VU than VB (De Winter, Gómez-Reino Cachafeiro, and Buelens 2006: 71). Conversely, the influence of the VB on other parties has rather been on the rightist agenda (Erk 2005a), with moderate right-wing parties having to strengthen their right-wing profile to effectively campaign against the VB. The N-VA is less concerned about the threat of the VB, especially since the party is winning election

⁹⁰ At the time of writing, the competition between CDC and ERC surprisingly led to a coalition of both parties and independents to run together on a pro-independence platform in the 27 September 2015 Catalan election. Although this seems a rather cooperative rather a competitive strategy, the coalition responds mainly to the pressure exercised by Mas towards ERC to run together and thus prevent the Republicans from winning the election. Had the ERC refused, Mas would not have postponed the election, thus reinforcing the competitive dynamic between both parties.

after election and the VB is retreating (Abts, Poznyak, and Swyngedouw 2012). Jan Jambon, an N-VA MP claims that even if both parties support independence, the VB is an unlikely ally because its participation would certainly dent any international sympathy towards Flemish independence. He argued that if both parties agreed on independence, then ‘all the people in [the] EU would scream’ (Jambon 2012). For its part, his party colleague Piet de Zaeger played down the influence of the VB by stating that ‘it will probably remain a party of about 10% getting a lot of extreme right, racist, xenophobic votes; and we are not making a strategy depending on that kind of people’ (De Zaeger 2012).

2.1.2. Government-Opposition Dynamics in Flanders

Party competition in Flanders is strongly linked to government-opposition dynamics as exemplified by the success of the VU in applying ‘tribune strategies’ (De Winter 1998b), that is, criticising the government while being in opposition which led to some electoral gains for the VU and to decisively influence the territorial policies of the party’s rivals. However, the parties that tend to use this strategy usually have to face internal tensions regarding whether to enter the government following a satisfactory election result or keep their place in the opposition while risking losing some of the supports given due to political inaction. This dilemma was traditionally present in the VU, which had historically suffered from government participation (Breuning 1997: 7). The fact that there is no state-wide party system any more in Belgium –but two distinct party systems, the Flemish and the Francophone (De Winter 2006b: 92)– is however a handicap for parties willing to use this strategy, since the traditional parties can easily hit back and increase their demands (Deschouwer 2009c).

In Belgium, the specificity of the absence of SWPs makes government-opposition dynamics in a multi-level perspective even more relevant than what they are in the context of Catalonia. When a party is in government at the regional level but in opposition at the federal level, it can use its strong position regionally to play the ‘regionalist card’ against the parties of the federal government (Buelens and Deschouwer 2007: 89). The uncoupling of regional and federal elections after 1999 has made it more likely that different electoral results take place in the same region

–i.e. Flanders– depending on which type of election is contested (Swenden 2002: 85). As a result of the decoupled elections taking place in Belgium from 1999-2014 –federal elections in 2003, 2007, and 2010; regional elections on 2004 and 2009– some incongruent coalitions have been formed with increasing potential for parties in power at the regional level to put pressure on their rivals ruling at the centre.

The case that best helps explaining the relevance of government-opposition dynamics in Flanders is the result of the 2004 regional election won by the CD&V/N-VA cartel. While in opposition at the federal level, the CD&V strengthened its regionalist profile by leading the Flemish regional government. Such a strong regional profile was used by the Christian-Democrats to oppose the policies of the federal government, which also put pressure on their coalition partners in the Flemish government (Sinardet 2008; 2010). Moreover, being in government at the central level also led the CD&V to put more emphasis on their governmental action at the regional level and downplaying their opposition role at the centre, which overall contributed to strengthening the regional profile of the party (Deschouwer 2009a: 29). Similarly, the N-VA entered a coalition with the CD&V after the 2009 Flemish election, after both parties had broken up the cartel mainly because of the entrance of the CD&V into the federal government. In this scenario, the CD&V returned to a congruent scenario in which the party was in government at both levels, but not the N-VA, which could use that advantageous position of not being responsible at the centre to put pressure on the CD&V (Deschouwer et al. 2010: 9). In Flanders, the effect of incongruent coalitions may be mitigated following the reestablishment of simultaneity in regional and federal elections from 2014 onwards.

Government and opposition dynamics clearly play an important role in Flanders. Given the high degree of parliamentary fragmentation, all regional governments are large coalitions of parties and since 2003 they have all included both the CD&V and the N-VA. In this regard, multi-level government-opposition dynamics are pre-eminent as political parties in power at one level tend to oppose their rivals in power at the central level. This is not an entirely exclusive phenomenon. The Catalan case showed us that CiU also blamed the PSC for not standing to their sister party –PSOE– when both parties were in power. In spite of the specificity of the Flemish party system,

it seems that parties in government at the regional level and in opposition at the central level will try to blame the parties in government at the centre for failing to deliver constitutional change, even if this involves embarrassing their coalition partners. The complaints of ERC in Catalonia about the role played by the PSC during the Statute reform process seem to confirm that. Government-opposition dynamics reinforce the influence that political parties with higher territorial ambitions put on other parties, whether the former are in power at the regional government and can use that as a platform to engage the other parties to responding to those demands; or whether they are in opposition and can therefore raise the stakes in their territorial ambitions, as was shown in the cases of CiU during the party's spell in opposition, and the CD&V's usage of the Flemish government to raise its regional profile.

2.2. Scotland

In spite of its union with England in 1707, during which the Scottish Parliament merged with the English Parliament in Westminster, Scotland retained several crucial institutions, such as the church, the education system, and the banking system (Paterson 1994). The survival of these autonomous institutions and the strength of Scottish civil society consolidated a distinctive sense of Scottish identity (McCrone 2001). This distinctiveness gives Scotland a relevant position on the list of stateless nations that seek to (constantly) redefine its relationship with the rest of the UK. Scottish identity is so consolidated that all political parties aiming at being electorally competitive in Scotland must emphasise their Scottishness (Mitchell 2009: 136). This puts Scottish parties in a similar situation to their fellow Catalan and Flemish political counterparts.

The three main British SWPs are present in Scotland, although they have quite different records on their constitutional preferences. The Scottish Liberal-Democrats have traditionally been a federalist party (Fabre and Martínez-Herrera 2009). The party's Steel Commission defined its policy to transform the UK into a fully-fledged federal state as the best way to accommodate Scotland within the Union (Scottish Liberal Democrats 2006). The Labour Party has been electorally successful in Scotland in the last decades (Bradbury 2006), although the party did not traditionally support

home rule. As we shall see, the party first supported devolution in the 1970s when it felt that the party was losing ground to the Scottish National Party (SNP), although several members of the party were still reluctant to devolve powers to Scotland. This internal tension made the first attempt of devolution to fail eventually, and it was not until the long years of Conservative rule in the 1980s and 1990s and the growing anti-Tory sentiment that Labour decisively promoted home rule for Scotland –as well as for Wales and Northern Ireland. The party has since then been committed to devolution and has also developed a diffuse sense of Scottish nationalism (Keating 2004: 164).

The Conservative Party, officially the Scottish Conservative and Unionist Party, was for long regarded as a party that truly defended Scottish interests and specificities within the Union, and was very successful in Scotland until the 1950s (Kidd 2008). However, electoral decline followed because of the unpopular Conservative UK governments in Scotland during the Thatcher years, with the party losing much of its power-base in Scotland and ultimately opposing devolution in the 1997 referendum after it had lost their last remaining MP north of the border (McCrone 2003). Once the Scottish Parliament was re-established, though, the Conservatives have accepted devolution and have developed a new commitment to working in the devolved political system (Jeffery 2009b).

The Scottish National Party is the main –and certainly the only relevant– SNRP in Scotland. It was founded in 1934 as a rather heterogeneous party-movement that advocated Scottish home rule (Finlay 1994). As a typical feature of the SNRP party family, internal tensions were high in order to decide the SNP's constitutional aim, with a faction defending home rule while another faction defended full Scottish independence; the latter being successful and independence being the party's policy since 1942 (Lynch 2006: 237). The 2011 election manifesto details the party's policy for independence by presenting an independent Scotland in a 'partnership of equals' with the rest of the UK and stressing that independence would imply that Scotland would become an EU member state (SNP 2011: 28). The way to achieve independence according to the SNP is through a referendum in which the Scottish people would decide on the matter. However, in a similar fashion to the N-VA's gradual strategy,

the party also campaigned for further self-government by enhancing the Scotland Bill and demanding more fiscal powers for the Scottish Parliament.

Table 3. Scottish Parliamentary election results in number of seats, 1999-2011

| | 1999 | 2003 | 2007 | 2011 |
|--------------------------|------|------|------|------|
| Labour | 56 | 50 | 46 | 37 |
| SNP | 35 | 27 | 47 | 69 |
| Conservatives | 18 | 18 | 17 | 15 |
| Liberal-Democrats | 17 | 17 | 16 | 5 |
| Others | 3 | 17 | 3 | 3 |

Source: Scottish Parliament.

As shown on Table 3, the Labour Party dominated the first two Scottish elections after devolution, albeit the decision to use a proportional electoral system –Additional Member System, AMS– prevented from securing an overall majority, with the coalition governments of Labour with the Liberal-Democrats to follow. The AMS system was a concession of Labour to the Liberal-Democrats and although it made it very difficult for Labour to achieve a majority –which they would have certainly achieved if a plurality system had been used– it also was thought to prevent the SNP to achieve such majority that would ease the way towards Scottish independence (McEwen 2009: 69). However, the 2007 election produced a narrow victory for the SNP, which constituted a minority government, and the 2011 election saw the landslide victory of the nationalists which proved that a majority could still be achieved despite the proportional corrections introduced by the AMS electoral system.

2.2.1.SNRPs Increase the Saliency of Territorial Issues in Scotland

The electoral breakthrough of the SNP in the late 1960s and its consolidation as a threat to Labour in the 1970s led the Labour Party to introduce legislation to devolve powers to Scotland in order to undercut support for the nationalists (Bradbury 2006: 221; Lynch 2006: 232). After the first attempt at devolution failed (see below), Labour was ousted from government in London by Margaret Thatcher’s Conservatives. The

Conservative Party's policies were vastly rejected in Scotland, with the Tories losing support and Labour becoming the dominant party in the 1980s and 1990s, which led Labour to emphasise its Scottishness to present itself in contraposition to the unpopular Tory governments (Mitchell 2009: 111).

Also, fears that anti-Tory sentiment in Scotland in the 1990s might evolve towards secessionism explain the decisive commitment of Labour to Devolution in 1997.

The election victory of the SNP in 2007 definitely put the territorial question on the agenda by sponsoring an independence referendum which nevertheless lacked enough support in parliament due to the minority position of the SNP and the unwillingness of the unionist parties to deliver it. This of course changed in 2011. The strength of the SNP, especially after achieving office, led the unionist parties to counter the SNP's appeal with proposals of their own.

2.2.2. Government-Opposition Dynamics in Scotland

The Labour-Liberal Democrat coalition that ruled Scotland from 1999 until 2007 did not have many incentives to deliver constitutional change for two main reasons. First was because the SNP in opposition would find any improvement as not being enough, and secondly because the Labour government was also in office in London and there was no need to bring the territorial question on the agenda on a UK-wide scale.

This worked well for the Labour Party, unlike the PSOE in Spain, because basically the Scottish Labour had not campaigned for further constitutional change unlike the Catalan Socialists did. Also, Labour had already delivered devolution in 1997 and not much time had passed since the re-establishment of the Scottish Parliament. There was no necessity to further expand Scottish self-government if the SNP did not represent a potential electoral throat to Labour rule in Scotland, a scenario that seemed favourable to Labour after their comfortable wins in 1999 and 2003 and the corrective element of the AMS electoral system than made a SNP overall majority unlikely.

However, once the SNP won in 2007 the unionist parties launched the Calman Commission as we have seen to propose a counterproposal to the SNP's policy of

independence. The motivation for this was to persuade Scottish voters that the unionist parties could deliver further powers to the Scottish Parliament with no need to support the SNP and its view on independence. The unionist SWPs felt they had to offer something in order to dissuade the voters that had put the SNP in power from supporting a secessionist party if what voters wanted was further powers for the Scottish institutions.

In this sense, the Calman Commission failed since there was not even time to enact the new Scotland Act before the SNP was returned with an overall majority after the 2011 Scottish parliamentary election. That result meant that the referendum was inevitable. In the context of the run-up to the referendum the dynamic of demand-response-demand works perfectly as the unionist parties campaigned against independence by discrediting what they thought to be the overoptimistic prospects of independence presented by the SNP and by stressing the advantages of remaining in the UK.

The response to the SNP's independence proposal was to reject it, although the unionists clearly emphasised that voting 'No' would not equal the constitutional status quo and that further devolution would follow. All three unionist parties set up devolution commissions in the run up to the independence referendum to explore further devolution for Scotland and made their proposals public well ahead of the vote to convince voters to reject independence in favour of a stronger Scottish Parliament within the UK.

The Labour Party proposed, among others, to make the Scottish Parliament entrenched into the UK constitution so it could not be abolished, to increase the tax-varying powers of the Scottish Parliament from 10p to 15p to provide Scottish institutions to raise more revenue, and further powers on housing benefits, railways, and local government (Scottish Labour Devolution Commission 2014). In a longer, more detailed document, Labour developed its proposal to expand devolution by also acknowledging the powers that should be kept at the central level to strengthen what Labour defines as the political, social and economic union which is the UK. Furthermore, for Labour the Scottish Parliament should acquire more fiscal autonomy yet retaining the block grant paid by UK resources as its main funding resource,

whereas the tax-varying powers would ensure more accountability on the taxes levied by the Scottish autonomous institutions (Scottish Labour Devolution Commission 2014: 253-256).

The Conservatives also devised their own devolution proposals and suggested to give more financial autonomy to the Scottish Parliament, asserting the need for the Parliament to be more responsible for the taxes it raised and devolving accordingly the competence to the Scottish Parliament to set income tax rates and bands (Scottish Conservatives 2014). The Conservatives also state that their proposals could be implemented after the 2015 UK general election but also called for the devolution debate to be extended to the whole country, thus (re-)considering what devolution means for the other home nations, and especially on how England is governed and the issue of the West Lothian Question.

Finally, the Liberal Democrats have long defended that the UK should evolve to a fully-fledged federal system with a proposal for Home Rule all round. This proposal was developed as early as 2012 by a committee chaired by Sir Menzies Campbell that set up a detailed proposal to transform the UK into a federal state, with a specific chapter focusing on the highly relevant issue of fiscal autonomy. On this issue, the Liberal Democrats push for fiscal federalism and suggest that the current Barnett formula consisting of a block grant allocated to the Scottish Parliament should be replaced by a needs-based formula (Scottish Liberal Democrats 2012). In a second report published closer to the referendum date, the Liberal Democrats emphasised that a 'No' vote in the referendum should be followed by more powers being transferred to the Scottish Parliament as an initial step to federalise the UK. They put the emphasis on the fact that the Parliament should raise more than what it spends and that its existence should be entrenched in the UK Constitution (Scottish Liberal Democrats 2014). Furthermore, it also makes a call to the other unionist parties to include their proposals for further devolution in their manifestos for the 2015 General election, thus reinforcing a certain element of competition between the unionist parties themselves to champion the cause for further devolution.

These proposals clearly emphasised the steps taken by the unionist parties to increase the autonomous powers of the Scottish institutions in the event of a 'No' vote by

convincing voters that rejecting independence did not equate to maintain the territorial status quo. This implies an element of party competition with the SNP to counter independence with a more appealing offer to Scottish voters who favoured further devolution instead of independence, but the proposals of the unionist parties, which varied in their scope, also enhanced competition between them. It is significant that even though these parties joined in a unified referendum campaign, Better Together, they presented their proposals for further autonomous powers separately.

However, following the rejection of independence by the Scottish electorate on 18 September 2014, the unionist parties had to converge on their proposals to deliver a common response to the popular mandate for further devolution. Thus, another parliamentary commission –the Smith Commission– has been set and further powers will be delivered in the future. This commission will also include the parties that supported independence –the SNP and the Greens– and aims at discussing and eventually delivering a new devolution settlement on Scotland based on the unionist parties’ proposals (HM Government 2014).

As a result, the Scottish case shows that facing a rather explicit and constant demand –i.e independence– by a SNRPs party in power, the opposition SWPs put forward –more limited–constitutional change in order to dissuade voters from supporting secession. In such a scenario, territorial demands nevertheless increase on aggregate terms.

3. Territorial Management as a Driver for Territorial Demands

The territorial organisation of the state and the way in which central governments respond to political parties’ territorial demands may impact the evolution, nature and scope of further territorial claims. The Catalan case shows how nationalist parties used central institutions’ management of the Statute of Autonomy reform to justify an escalation of territorial demands. Can we identify a similar dynamic in Flanders and Scotland?

Spain, Belgium, and the UK are decentralised countries and Catalonia, Flanders, and Scotland enjoy substantial political autonomy. In spite of this common starting point, the territorial organisation of each country and the manner in which party politics works at the central and sub-state levels differ considerably. This variation needs to be taken into account when analysing the impact of territorial management in explaining the persistence of demands raised by political parties in these three contexts. The discussion will analyse the effect of territorial management in Flanders and Scotland.

3.1. Flanders

Since 1970 Belgium has transformed from a unitary state into a fully-fledged federation through four constitutional reforms –up to 1993– and two extra reforms –in 2001 and 2011– that have furthered regional and community powers. The first reform took place in 1970 and the regions of Flanders, Wallonia, and Brussels were recognised alongside the three linguistic communities: Dutch-speaking, French-speaking, and German-speaking. Further constitutional provisions included the creation of linguistic groups in the national parliament and the requirement that the executive had to have an equal number of French- and Dutch-speaking ministers. The second reform of 1980 brought forward the creation of institutions for the regions and communities, with the exception of Brussels. These institutions included regional and community executives and assemblies which were not directly elected but composed by each region's members of parliament. The third reform of 1988 included the formal constitution of Brussels as a region, which could not be agreed upon in the previous reform of 1980. The Flemish side did not willingly accept this reform –since they tend to think of Brussels as a Flemish city– but were compensated by a special constitutional protection of the Flemish minority in Brussels. The 1993 reform consolidated the federal character of Belgium with the direct election of the regional assemblies and the transformation of the Senate into a chamber of the communities, while lists of competencies were drawn for both regions and communities. The last constitutional reform prior to the period of analysis, of 2001, slightly enlarged fiscal autonomy of the regional institutions, although such autonomy continued to be quite modest (Deschouwer 2009b: 48-64).

Belgian federalism has been labelled as ‘centrifugal and bipolar’ (Alen and Ergec 1998). It is bipolar because of the dual character –Flemish and Francophone– of the federation and it is centrifugal because after initial decentralisation was applied there have been strong incentives for political elites to demand further transfers so as to evade tough negotiations with the other community. This practice has been viewed as leading to a ‘hollowing of the Belgian centre’ (L. Hooghe 2004). The aforementioned split of the Belgian party system decisively strengthens this dynamic and the central government is sometimes regarded as a forum of regional representatives (Cartrite 2002: 61). Furthermore, the linguistic division between both communities and ongoing regionalisation have produced a substantial separation between both communities, with people from each one being socialised and receiving political inputs only from their own community, a fact which is further reinforced but the existence of only separate traditional media (Billiet, Maddens, and Frogner 2006). Regionalisation has tended to favour ethnic divisions in Belgium (Erk 2003: 203) and the fact that regional politics are more responsive to citizen demands –since citizens from one community cannot exercise any control on the political parties of the other– has driven further decentralisation (Deschouwer 1999: 106; Verleden 2009: 166).

In this divided context, it comes as no surprise that the political preferences of the communities differ substantially. Whereas the Flemish parties as a block tend to favour further reforms (Dandoy, Matagne, and Van Wynsberghe 2013), the Francophone parties would have been quite satisfied if constitutional reform had stopped in 1993 (Frogner 1996). This pattern is still the rule and in the government coalition negotiations following the 2007 federal election all Flemish parties wanted some reform whereas the French-speaking parties did not want any (Pilet and van Haute 2008: 547). On that occasion, constitutional reform was postponed, which provoked as stated above the breakup of the CD&V/N-VA cartel, but similar approaches from the two sides led to a governmental coalition deadlock after the 2010 election which lasted more than 500 days (Govaert 2012).

The complex negotiations for government formation of 2010-2011 included two topics that are seen from opposite angles by both linguistic groups and therefore give ammunition to the elites of both communities to increase or perpetuate their demands.

First, the electoral district of Brussels-Halle-Vilvoorde (BHV) had to be split according to the Flemish parties, with a special demand on that account coming from the CD&V/N-VA cartel, whereas the Francophones opposed such a split (Abts, Poznyak, and Swyngedouw 2012: 452). The main reason for both perspectives is that mainly Francophone Brussels is included in a larger electoral district which includes several Flemish municipalities. However, ample minorities of French-speakers live in the outskirts of Brussels, which are formally on Flemish territory. Thus, the Flemish parties wanted the split of the district so the votes of the Flemish-speakers would not be influenced by the large Francophone majority of Brussels, which tends to vote for French-speaking parties. Conversely, the Francophone parties did not want the BHV district to be split because the French-speaking voters living outside Brussels would become a minority –without the Brussels population being included– amongst the Flemish population of the larger Flemish Brabant province (De Winter and Baudewyns 2009; M. Hooghe and Deschouwer 2011).

This argument, eventually solved with the Francophone concession to split the district in return for extra funding coming from Flanders to the Brussels region (Govaert 2012), was of a highly symbolical nature and was used by Flemish parties to defend what the Flemish consider to be their linguistic and political rights as Dutch-speakers. The position of the N-VA is plainly illustrated by Jan Jambon, discussing French-speakers living in the towns nearby Brussels in Flanders:

‘Today we see that people from Brussels come into Flanders, they say we live in Belgium, and Belgium is bilingual, so I speak French, and when I go into Antwerp, in Ghent, and here at the frontiers of Brussels, they are not forced [to speak Dutch]. [But] the borders are clear, they know that they are in another country, and so they have to adapt’ (Jambon 2012).

Similarly, another N-VA politician considered that the economic compensation for the split of BHV was too much, whereas his view on the French-speakers’ position in the Brussels periphery also hints at the symbolic and political saliency of the language issue:

‘They [French-speakers] don’t want any bilingual status of Wallonia, but they want a bilingual status for Flanders or a bit of Flanders and whenever they don’t manage to get that, they just want the expansion of Brussels, of

Brussels territory. So that's what we should call, what we call imperialism'
(Weyts 2012).

Hence, the symbolic nature of such controversies heats up the territorial debate in multinational contexts. Symbolic issues are also relevant in the Catalan case, especially concerning the situation of the Catalan language as a minority language vis-à-vis Spanish, and also other symbolic issues like the definition of Catalonia as a nation that Spanish institutions insist is merely of a cultural nature. These symbolic issues when seen to be dealt with inappropriately by the state provide grounds for further escalating demands.

A second element of controversy during the 2010 governmental coalition negotiations was interregional solidarity. It has been long noted that economic differences between regions in Belgium have escalated territorial tensions (Peters 2006: 1090) and that Flemish taxpayers are net-contributors to the federal budget –with the notable exception of pensions due to the ageing population in Flanders– whereas the regions of Wallonia and Brussels are net receivers (Bouteca, Devos, and Mus 2013). These kind of economic imbalances are quickly transformed into economic grievances by political parties which demand a correction of the situation by claiming further fiscal autonomy. This sort of demand clearly echoes that of Catalan nationalists discussed in previous chapters, based on the complaint that Catalan tax-payers contribute too much to interregional solidarity. As in the Catalan case, some N-VA leaders –De Zaeger, Jambon– openly acknowledged in interviews that they would like the Basque model of *concierto económico*, or full fiscal autonomy, although, like their Catalan counterparts, they state that they do not want to cut down interregional solidarity altogether.

If economic transfers were to stop suddenly it has been suggested that poverty in Wallonia would increase significantly (Cantillon et al. 2006: 1052), and so the Flemish nationalist demands for fiscal autonomy are accompanied by a demand for more transparency and fiscal responsibility for the regions. Ben Weyts (N-VA) puts it in a relatively straightforward manner:

'[We want to] give more autonomy to the states so that they can govern their own problems with their own solutions, but also with their own responsibility,

including the financial responsibility, because nowadays you see that Wallonia has another policy. For example on unemployment, but the means, the budget is federal. So it's very easy to have a different policy with somebody else's money. Because the federal budget is funded mostly by Flanders. So we want more responsibility, more autonomy, but including more responsibility. [...] It's very easy to have a policy without a responsibility. So they don't care. You have to be rewarded for good policies and you have to be punished for bad policies. But that's not the case in Belgium' (Weyts 2012).

Yet, the sixth constitutional reform does not grant regions with fiscal autonomy, although it included a block transfer for the regions to pay for the services they provided. However, the aim of the N-VA was far ambitious than that –one of the reasons the party decided to stay in opposition following the 2010 federal election. Piet de Zaeger concludes that:

'the negotiations, it's clear that the large portion of those demands were given up and it's really the core of what was asked by the Flemish Parliament because it's not that you have some fiscal... we... what was really intended was fiscal autonomy and fiscal responsibility. And that's not what we are getting. You get more a... they give you a certain amount of money but you are not able to collect that money yourself' (De Zaeger 2012).

Falling short of getting what you asked for exacerbated demands in Catalonia. The sense of failure seems to be quite similar amongst the N-VA leadership, and their strong position in the Flemish and Belgian party systems does not suggest that they will back off any time soon. Thus, we see both in Catalonia and in Flanders that demands perceived to be ignored lead to a strengthening of territorial demands. Furthermore, different kinds of demands converge, as is the case in Flanders for fiscal and symbolic demands. Such demands, though, can quickly evolve into more radical and substantially different claims as the move launched by CiU in Catalonia which switched a demand for more fiscal powers to a constitutional referendum on independence.

The nature of territorial management is clearly very different in Spain and Belgium. In Spain the Catalan nationalists are a minority nation in a larger polity with Catalanist parties trying to negotiate different constitutional arrangements –from a new Statute

of Autonomy to a referendum on secession– with a distant government. In Belgium, on the other hand, the particular bipolar nature of the country leaves less room for victimisation, as central territorial management basically includes bilateral negotiations between both communities, and the only complaints available to disillusioned Flemish nationalists are the unwillingness of the French-speaking parties to negotiate and veto constitutional change or the commitments that other Flemish parties make at the centre. This results in either no change at all or some minor changes perceived as unsatisfactory for the nationalists. Be that as it may, both scenarios contribute to the enhancement of territorial demands through political parties' use of the outcome of constitutional negotiations at the centre.

3.2. Scotland

The accommodation of Scottish demands within the UK has traditionally been dealt with in a pragmatic way by the UK government and parties, which was based for the most part on administrative autonomy executed by the Scottish Office, created in 1886 (Keating 2001a). Although Scotland had kept certain autonomous institutions since the Union of 1707, following the progressive interventionist nature of the state in public affairs throughout the 20th century several competences were transferred to the Scottish Office, so that Scottish policies could be addressed and administered in a Scottish manner (Paterson 1994). Although several attempts at the reestablishment of a Scottish Parliament had gained support in the first half of the 20th century, the Home Rule initiatives did not go through mainly because the political actors north and south of the border resorted to devolving administrative competences instead.

However, this approach changed after the SNP won a by-election in Hamilton in 1967. The good result at the polls for a separatist party made the UK government set up a committee to study the possibility of devolving powers to a Scottish Parliament (A. Brown, McCrone, and Paterson 1998; Mitchell 2009). Although this initiative was short-lived, the 1974 elections delivered a real breakthrough of the SNP, with the nationalists winning 7 seats in the February election and returning 11 with 30% of the vote in the October election following the hung Parliament after the first 1974 election (Bogdanor 1999). After such a success, the Labour government started to discuss plans for devolving powers to Scotland. Devolution was such a divisive question within the

Labour Party, and Labour backbenchers managed to include an amendment to the Scotland Bill requiring that devolution had to be supported by at least 40% of the Scottish electorate (Mitchell 2009: 125). This requirement proved to be crucial putting a halt to devolution. In the 1979 referendum, 51% of the voters supported the establishment of a Parliament but a turnout of 64% meant that support amongst the whole electorate was around 33%, therefore falling short of the required 40% hurdle. The provisions of the Scotland Act were repealed as a consequence (A. Brown, McCrone, and Paterson 1998). The fall of the SNP in the 1979 election, and the government change under the Conservatives led by Thatcher, cooled down any immediate prospects of devolution.

The policies of the Tories were regarded as highly unpopular in Scotland and as a result the Conservatives began a steady electoral decline with the Labour Party becoming hegemonic in Scotland. This scenario stirred up again some demands for Home Rule which the Conservative government tried to manage by delivering extra powers to the Scottish Office, such as regional aid. The enlargement of the authority of the Scottish Office however gave a wider dimension to the scope of Scottish administrative devolution and reinforced the Scottish political framework which eased the way for further demands (Keating 2004: 166). In this context, a Scottish Constitutional Convention was created under the leadership of the Labour Party to promote Home Rule for Scotland. The Convention also included the Liberal Democrats, trade unions and civil society organisations, but not the SNP which refused to take part because the Convention would not consider independence (Paterson et al. 2001). The Convention was created in 1989 and was preceded by a declaration of several organisations known as the Claim of Right, which stated that the people of Scotland should be free to decide how they should be governed (Tierney 2003). The Claim of Right was supported by the Labour Party (Newell 1998: 110-1), which then spearheaded demands for devolution after the party got back into office in Westminster following the 1997 election. The September 1997 referendum confirmed the will of the Scots to have a Parliament with legislative powers and also some tax-raising powers. The referendum was sponsored by Labour as part of the fulfilment of a bargain for which they had campaigned for since the late 1980s (McCrone 2003: 140).

Devolution was approved by referendum by 74% of the voters and around 63% supported tax-raising powers for the new Parliament.

Devolution in the late 1990s redefined the constitutional shape of the UK with sub-state legislatures being introduced in Scotland, Wales, and Northern Ireland, which created an asymmetrical constitutional structure that has been nevertheless widely accepted across the UK (Keating 1999: 78). The fact that asymmetry is a common assumed element of the UK constitution heavily contrasts with the situation in Spain where asymmetries are regarded as ‘privileges’ for those regions or nationalities enjoying them. The different perception of asymmetries in both cases is illustrative because it derives from the constitutional and symbolic recognition –or lack of it– of the national character of the stateless nations. Thus, unlike in Catalonia, national recognition is given freely in Scotland (Keating 1998b: 202). The current push for a referendum on independence in Scotland has also shown that it is a common accepted fact in the UK that Scotland shall have independence if the Scottish people back this option (Keating 2009: 81), whereas this is certainly not the case in Catalonia. This difference in constitutional recognition also has an effect on the nature of demands posed by political parties in both cases, with Catalan parties putting more emphasis on symbolic issues: nation-ness, self-determination, language and cultural rights; whereas in Scotland demands focus more on policy powers and fiscal issues because the former are taken for granted.

Another interesting pattern is that in Catalonia and Flanders sub-state actors –political parties and sub-state governments– are pro-active in putting forward demands and the central governments negotiates these and delivers a response– either a positive response or a rejection. This is done differently in Spain and Belgium, given the different nature of the central government in each country. However, in the case of Scotland it seems that the state actors –including SWPs– are more responsive towards demands. More specifically, SWPs are more active in responding to the electoral success of the SNP in order to cut down the possible appeal for Scotland’s independence. The last few years have been illustrative on that regard. After the SNP won the 2007 Scottish election the unionist parties started discussing constitutional change on their own, trying to counter the SNP intention to hold a referendum on

independence. This resulted in a reform of the Scotland Act to grant further powers to Scotland. The recommendations of the Calman Commission represented a modest advance in the legislative powers of the Scottish Parliament and Calman also argued for some elements of fiscal autonomy to make the Parliament more responsible for what it spends (Jeffery 2009b: 155). Meanwhile, the SNP's proposed referendum did not go through in the 2007-2011 Parliament because the SNP lacked a majority and the other parties, instead of accepting a referendum, preferred to put forward a counterproposal for enhanced powers.

This situation was replicated after the 2011 election which the SNP won with an overall majority, thus making the referendum a real possibility. The way in which the UK government accepted the demands of the SNP formalised in the so-called Edinburgh Agreement (2012) heavily contrasts with the complete rejection of the same demand for a referendum by the Spanish government in the case of Catalonia. Not only was the decision of the UK government based on the aforementioned recognised right of Scotland's self-determination, but it was also illustrative that the SWPs were keen to put forward significant counterproposals to transfer more powers to the Scottish Parliament in the event of a 'No' vote in the September 2014 referendum.

In this sense, the UK central actors are more accommodative than their Spanish counterparts. The pro-active stance of the Unionist parties certainly contribute to an escalation of demands and a progressive tendency toward decentralisation, but one that is controlled and managed. Opponents of devolution in 1999 argued that the Parliament was a stepping stone towards independence, while in the first years there were no grounds to support that claim (McCrone 2003). The holding of an independence referendum might lead us to think that those initial opponents of devolution were right; however, with the rejection of independence in September 2014 the Scots showed that they wanted devolution, and certainly the SWPs offered more devolution. Probably, if the unionist parties had not offered anything the result of the referendum would have been different.

The cases of Catalonia, Scotland, and Flanders indicate that central government strategies of rejection of constitutional change may lead parties to radicalise their

demands, as the case of CiU clearly shows; or also to reinforce those political parties with a more assertive demand –i.e. independence– to which the recent electoral successes of the N-VA and the SNP seem to point out. On the other hand, when the UK government accepted to hold a referendum on Scotland's independence it prevented the SNP from building on anti-London sentiment and victimisation and it set a long and rich constitutional debate where unionist parties offered counterproposals, a strategy which eventually carried the day. Thus, territorial management clearly influences how parties respond to central government strategies and how their territorial demands evolve. It also influences citizens: strategies of rejection and blockade of constitutional change lead voters in stateless nations to support more radicalised options while accommodative strategies including offers of further self-government may seduce voters with a renewed constitutional agreement that avoids the uncertainties of a secession process.

4. Public Opinion as a Driver for Territorial Demands

Political parties are mechanisms of representation of the population views and preferences. Accordingly, political parties do represent and indeed claim to represent the people's interests in a wide range of topics, to which the territorial organisation of the state is no exception. The preferences of voters on constitutional change may thus be taken into account by political parties in order to define –or redefine– their territorial proposals. It has been argued that this has been the case in Catalonia, where a radicalisation of public opinion in favour of independence was intrinsically linked to CiU's change on the party's territorial discourse. The 2010 and 2012 demonstrations on Catalonia's national day had a direct influence on the party's actions, especially after the latter rally triggered Artur Mas' decision to call for a snap election and put forward the demand of a referendum on independence to be held before 2016.

The analysis of public views on constitutional change may thus shed some light on the dynamics of territorial demands that have been present as well in Flanders and Scotland. The two cases also show that sub-state national identity is very relevant to a

large share of the national population, which also provides incentives to political parties to play the ‘regionalist card.’ The combination of both indicators may therefore help us to understand better the nature and scope of political parties’ territorial demands.

4.1. Flanders

The construction of national identity built around the Dutch language led to territorial demands being made on the nation’s name (Vos 1998: 87). Although these demands were cultural at first, they quickly turned political –including economic and regional empowerment demands. The nationalist justification of political decentralisation and the establishment of sub-state institution has not strengthened Flemish identity at the expense of Belgian identity in the case of Flanders. Dual identities are therefore a common feature in line with other stateless nations in multinational states (Keating 1998a; Moreno 2001b). Belgian identity has remained high in spite of political decentralisation and the ongoing social division experienced in Belgium between the Flemish and French-speaking communities (Billiet, Maddens, and Frognier 2006). As Table 4 shows, Belgian identity tends to be the first choice of identity for people in Flanders while those who described themselves as ‘Flemish first’ fell from 40% in 1991 to just over a quarter in 2009. This decrease may be linked to the new generations’ lack of first-hand experience of the linguistic conflict that drove institutional reform –with tensions at the highest point in the 1960s and 1970s (Swenden and Jans 2006: 889).

Table 4. First choice of identity in percentage, Flanders, 1991-2009

| 1st Choice | 1991 | 1995 | 1999 | 2003 | 2009 |
|------------------------------|-------------|-------------|-------------|-------------|-------------|
| <i>Belgium</i> | 42 | 52 | 56 | 54 | 43 |
| <i>Flanders</i> | 40 | 25 | 27 | 30 | 27 |
| <i>Province</i> | 3 | 3 | 2 | 4 | 5 |
| <i>City/Town</i> | 13 | 17 | 13 | 12 | 15 |
| <i>Europe</i> | - | - | - | - | 9 |
| <i>Other</i> | 2 | 3 | 0 | 0 | 1 |
| <i>N</i> | 2379 | 2066 | 2497 | 1247 | 1531 |

Source: Deschouwer and Sinardet (2010: 65).

The high score of Belgian identity among the population certainly cuts down the appeal for Flemish secession amongst the population, with federal-like arrangements being preferred to better accommodate the vast majority of people who identify both as Belgian and Flemish (De Schutter 2011).

The recent electoral success of the separatist N-VA in the Belgian federal election of 2010, followed by even better results in the May 2014 federal and regional elections, may suggest that secession is becoming popular in Flanders. However, successive social and political surveys have shown that the territorial question is not that relevant to the Flemish electorate (Billiet, Maddens, and Frogner 2006: 917-8; Deschouwer and Sinardet 2010: 61-2; Reuchamps 2013: 356). For instance, following the 2007 election which saw the victory of the CD&V/N-VA cartel –with both parties having agreed that they would not enter a government coalition without state reform –survey evidence showed that only 13% of the voters declared such a reform to be a top priority (Sinardet 2008: 1025).

Support for further decentralisation, not surprisingly, tends to be higher for nationalist parties, with in the Flemish case refers to the N-VA, but also to the CD&V (Deschouwer and Sinardet 2010: 74). However, the success of the N-VA is not exclusively due to its territorial stance by any means. Although around 80% of the party voters said to be in favour of decentralisation, only 4 out of every 10 voters declared that Flemish autonomy issues were the main reason to decide to vote for the party; with many other voters also valuing the fact that the N-VA is a new party with

no links to the establishment parties (Swyngedouw and Abts 2011: 16-8). The tradition of consociational governance and party rule or ‘partitocracy’ in Belgium has long had a negative impact on the perception of the quality of democracy in the country (De Winter, Della Porta, and Deschouwer 1996). Hence, the support for the N-VA as an outsider party seems to weight for the voters’ decision alongside their stance for further Flemish self-government.

The Flemish population seems to be rather split in half about further constitutional change, with just over half the population supporting more powers for the Flemish government and the other half against that prospect, with a quarter declaring themselves satisfied with the status quo and another quarter even promoting recentralisation, with support for an independent Flanders being negligible (Deschouwer and Sinardet 2010: 69-70). The Flemish case is therefore quite interesting because of the paradox that independence support is extremely low yet a secessionist party is the first party in the country. The party is well aware of the reality in Flanders, as Ben Weyts described it in an interview:

‘We know there isn’t a strong majority in Flanders for the idea of independence. We accept that. We are democratic, but we see there is a great, [...] great demand for more, less complexity and more autonomy’ (Weyts 2012).

The awareness that independence is a chimera in the short-to-medium term thus explains the party’s step-by-step strategy and builds on the considerable support for further autonomy to put forward its confederal horizon for Belgium. The logic of the party is neatly described by Jan Jambon, MP as follows:

‘what people accept [...] is that you talk about reform of the institutions and then we use another term: confederalism. Because once we could realise confederalism, how we see it is near, very near to independence. So the next step to independence would be a tiny step. I think, and, it’s a little bit political and electoral opportunism what brings us confederalism as a step in between’ (Jambon 2012).

The aim of the N-VA is therefore to sell independence progressively by showing that more self-government means better government. However, the struggle to achieve

further institutional reform meanwhile is something the electorate does not seem very concerned with and the political tension and ongoing conflict seems to be more a product of elite and institutional dynamics rather popular active demands for constitutional change (Reuchamps 2013: 366). The Flemish situation heavily contrasts with the Catalan case, as the SNRPs' escalation of demands has been decisively influenced by a dramatic support for secession and continuous episodes of mass mobilisation.

4.2. Scotland

National identity is strong in Scotland although it has been so traditionally (Bechhofer and McCrone 2009), and even if Scottish identity has been reinforced in the last 30 years, as in the Belgian case dual identities –i.e. one feeling both Scottish and British– prevail (Keating 2009). Such a strong sense of identity has led political parties to consistently play the 'regionalist card' and present themselves as Scottish, while the anti-Tory sentiment often exaggerated by the Conservatives' rivals has been built on a deliberate discourse of the Tories being essentially anti-Scottish because of the neoliberal policies carried out in the 1980s and early 1990s (Hassan 2012).

Table 5. National Identity in Scotland, Percentages, 2012-2014

| | 2012 | 2013 | 2014 |
|-------------------------------------|------|------|------|
| Scottish not British | 23 | 27 | 24 |
| More Scottish than British | 28 | 27 | 25 |
| Equally Scottish and British | 28 | 27 | 30 |
| More British than Scottish | 6 | 4 | 5 |
| British not Scottish | 8 | 10 | 9 |
| Other | 6 | 4 | 5 |
| Don't knows | 2 | 2 | 1 |

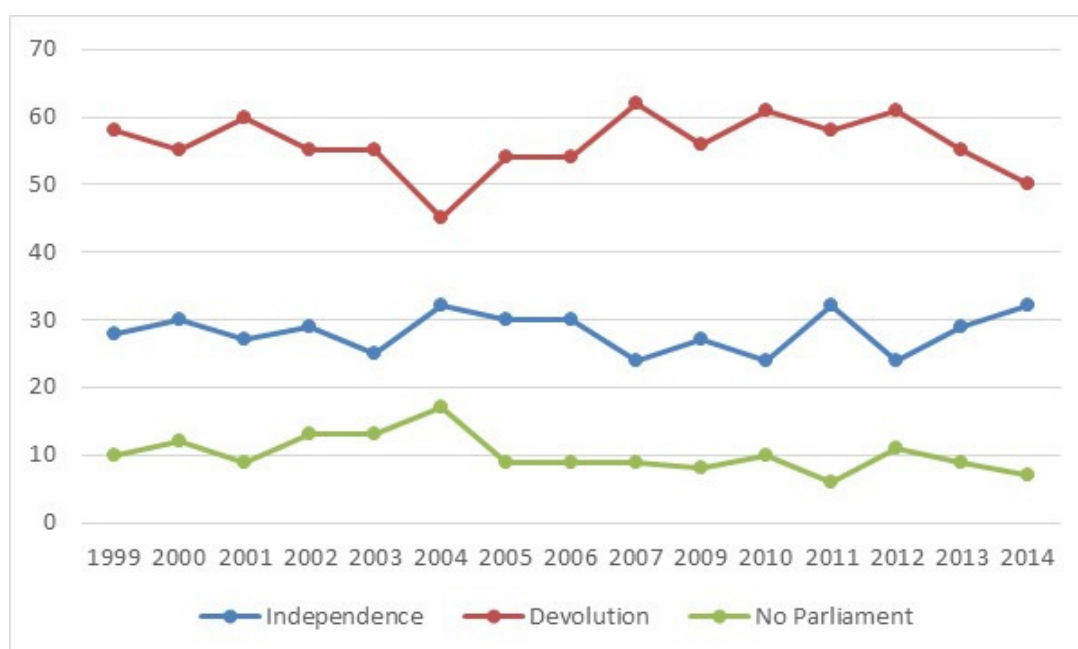
Source: What Scotland Thinks.⁹¹

⁹¹ Available at: <http://whatscotlandthinks.org/questions/moreno-national-identity-six-answer-options#table>.

As Table 5 shows, Scottish national identity is indeed strong with British-leaning identities being espoused by a small share of the population while almost a third claims to feel both ‘Scottish and British’ when answering the so-called Moreno question.

In terms of constitutional preferences, unlike in Flanders and Catalonia, independence support has been significant in Scotland –consistently between a quarter and a third of the population as shown on Figure 5 –since devolution, thus keeping an increasing tendency after the Thatcher governments (Keating 2009: 71). However, devolution is by far supported by a majority of Scots while recentralisation support leading to the Parliament being abolished is supported only by a minority and therefore highly unlikely (Jeffery 2009b).

Figure 5. Constitutional preferences in Scotland, 1999-2014



Source: What Scotland Thinks.⁹²

After the back-to-back election victories for the SNP in the 2007 and 2011 elections to the Scottish Parliament, the latter leading to the 2014 independence referendum, it

⁹² For clarification, the category ‘Independence’ includes respondents that preferred an independent Scotland either within or outside the EU. The category ‘Devolution’ includes respondents that support either a Parliament with the current powers or a stronger Parliament. Available at: <http://whatscotlandthinks.org/questions/how-should-scotland-be-governed-five-options-5#table>.

is interesting the relationship between such victories and the support for independence, given the pro-independence stance of the Nationalists. However, since independence support seems to have remained rather stable, unlike in Catalonia, is there any hint that the SNP election victories reproduced a ‘hidden’ increased support for independence? As the case of Flanders shows after the success of the N-VA, and given the rejection of independence in the September 2014 referendum, people do not exclusively vote based on the territorial question (Johns, Mitchell, and Carman 2013: 162-3). Besides, the fact that the SNP strategy to achieve independence included the call for a referendum gives certain security to Scottish voters who were unsure about independence to vote for the Nationalists on other grounds and then being able to reject independence in the referendum if it came to that (Bradbury 2006: 240-1).

The wide support for devolution indeed suggested that Scots would not vote for independence if other options were available (Keating 2009: 179), although the increasing support for independence in the run-up to the 18 September 2014 referendum shown by public opinion surveys, with one survey a few days before the vote showing that the ‘Yes’ campaign was ahead (BBC News 2014), probably accentuated the unionist parties’ fears that the vote could be lost. The closeness of the vote result did scare the unionist parties enough to offer a substantive improvement of the powers of the Scottish Parliament, including several measures of fiscal autonomy. The 45% of ‘Yes’ votes suggest that several people who ideally support further devolution turned to independence, but still those in favour of a Scottish Parliament within the UK prevailed. As pointed out above, in the Scottish case the unionist parties have reacted to public hints that further change was needed, first after the election of the SNP to office in 2007 by extending the powers of the Scottish Parliament and more decisively during the 2014 campaign where more devolution was offered in order to defeat independence in the referendum.

Public opinion therefore modulates political parties’ territorial demands. The negligible support for independence in Flanders has not stopped the N-VA from proposing independence as their ultimate goal, although the party clinches to the significant popular support for further powers to defend a progressive strategy to achieve independence by promoting confederalism first, an ambition shared, albeit

more reluctantly, by other Flemish parties. The evidence suggests that the effect of the voters' constitutional preferences is greater in the cases of Catalonia and Scotland. In Catalonia the burst of support for independence since 2010 has contributed to the Catalan SNRPs' emboldened territorial proposals, including a referendum on independence or even a unilateral declaration of independence –defended by ERC. Conversely, the SWPs seem rather reluctant to be moved by the change on constitutional preferences, although the PSC led to convince the PSOE to put forward a constitutional reform to better accommodate Catalan distinctiveness, even if defined in a rather ambiguous fashion. In Scotland SWPs, on the other hand, reacted more decisively to prevent a 'Yes' vote in the referendum, while the SNP accepted the defeat and was subsequently willing to enter negotiations with the other parties to discuss expanded powers for the Scottish Parliament. As a result, public opinion matters to political parties, although different effects can be appreciated depending on the varying contexts of the three cases analysed.

5. The Dynamics of Territorial Demands in Flanders and Scotland

This comparative chapter has shed some light on the dynamics of territorial demands in Flanders and Scotland. The effects of party competition, the role of central government's territorial management strategies, and public opinion on the political parties' positioning on the constitutional question have been scrutinised. Even though the analysis of the cases of Flanders and Scotland has been more limited in length and depth, some patterns are interesting to note and some valuable comparisons with the empirical evidence of Catalonia from the previous chapters can be learned.

Party competition seems to play a highly relevant role in influencing political parties' proposals and counterproposals on territorial issues both in Flanders and Scotland. The presence of strong nationalist secessionist parties –the N-VA and the SNP– combined with the government-opposition dynamic has led the traditional parties in Flanders and the unionist parties in Scotland to substantially increase their territorial ambitions: the Flemish parties, namely the Christian-Democrats and the Liberals, espoused

confederalism as their constitutional horizon for Belgium and agreed on a hard-fought constitutional reform with the Francophone parties to deliver more autonomous powers to the Flemish institutions after the shocking electoral victory of the N-VA in 2010. Similarly, the unionist parties in Scotland have tried to counter the electoral success of the SNP and the heated campaign to win the 2014 independence referendum with several proposals for further devolution. These progressive raise in territorial demands clearly echo the SNRP-SWP competition seen in Catalonia between the CiU and ERC, on the one hand, and the PSC on the other. Yet, it is clear that after the definite push of the Catalan SNRPs for independence the PSC has moderated their demands and ended up standing for its traditional proposal to reform the Spanish constitution in a federalising fashion.

Further similar patterns include the competition between nationalist parties in Flanders and Catalonia, which is non-existent in Scotland due to the hegemonic position of the SNP on this camp. However, the particular position of the traditional parties in Flanders after the split in the party system between Flemish and Francophone factions allows these parties to be treated both as sort of SWPs and SNRPs. Following from this assumption, we have seen how the competition between the N-VA and the CD&V has triggered more demands in Flanders in a similar fashion to the competition between ERC and CiU does in Catalonia. Moreover, this competition can be exemplified both through direct electoral competition and government-opposition dynamics between both parties or, also interestingly, with the two parties cooperating. This has been the case of the ‘Flemish cartel’ between the N-VA and the CD&V and the cooperation –and eventual electoral alliance prior to the September 2015 Catalan election– between *Convergència* and *Esquerra*. Such cooperation implies that parties have to compromise on common constitutional positions which resulted in a strengthening of their territorial demands.

Party competition does seem to play an important role in determining political parties’ territorial ambitions, whereas the comparative element analysed in this chapter suggests that the role of the central government in exacerbating demands may be more debatable, possibly far more relevant in the Catalan case than it is in Scotland or Flanders. In Scotland the UK government has been traditionally more willing to accept

the plurinationality of the state and the home nations of the UK are not questioned, whereas this is clearly not the case in Spain. Furthermore, the unwillingness of the Spanish central government to renegotiate a new constitutional settlement to accommodate the Catalan nationalists' aspirations is opposite to the attitude of the UK government, which (reluctantly) accepted the celebration of the September 2014 referendum on Scotland's independence and is willing in principle to devolve more powers to the Scottish self-governing institutions following the rejection of independence by the Scottish people.

Similarly, the specificity of Belgium as a bipolar federation seems to suggest that the actions of the central government do not necessarily fuel further territorial demands in Flanders. Certainly, the government formation deadlocks and the antagonistic positions of Flemish and Francophone parties do incite territorial tensions which the Flemish parties, and particularly the N-VA, are willing to exploit. However, the aforementioned specific bipolar character of the Belgian federation, alongside the fact that the Flemish are a majority in the country –unlike the Catalans in Spain– make it questionable that this variable has the same effect in the cases of Flanders and Scotland than it does in Catalonia. As a result, we may suggest that the effect of party competition is reinforced as the main explanatory variable in this research.

Finally, we have considered the effect that public opinion has on influencing the parties' territorial positions in Flanders and Scotland. We have claimed that political parties take into account people's views, and parties in all three cases seem to be responsive to the population's views on the constitutional question, even when we perceive significant variation on the constitutional preferences across cases. A very low support for independence in Flanders has led the N-VA to campaign for independence in the long term and emphasise more autonomous powers and confederalism in the mid-term. Conversely, a consistent support for independence in Scotland led the SNP to carry on with its intended plan to hold a referendum on independence. Had independence support been as low as in Flanders, it would have made sense to ask whether the SNP would have gone through with the 2014 vote. Furthermore, a majority support for further devolution shown in the polls correlated to the unionist parties' proposals for further powers to be devolved to Scotland in the run

up to the independence referendum. The Catalan evidence has also shown that CiU progressively put forward more ambitious demands coinciding with the increasing support for Catalan independence amongst the population after 2010.

Public opinion seems to influence political parties' positions on the territorial cleavage, yet not all parties respond to the same way. While some parties are willing to adapt to changes in public opinion or to a certain composition of the constitutional preferences, like CiU or the N-VA, others seem rather unmoved and give pre-eminence to their ideological stance: this would be the case of the PP in Catalonia or the SNP in Scotland, which still supports independence as the party's main constitutional aim even after the defeat suffered in the independence referendum.

The comparison of Catalonia with Flanders and Scotland has provided for a cross-testing of our three explanatory variables. The limitations in the scope of the analysis and the comparatively little amount of data collected for the Flemish and Scottish cases does not allow us to generalise our results to these two cases. However, the role of party competition seems evident as an important explanatory variable of the ongoing territorial demands posed by political parties in these two contexts enhances the validity of our assumption that party competition is also highly relevant to explain the current dynamics of territorial demands in Catalonia.

Chapter 8. Conclusion: The Dynamics of Territorial Demands in Stateless Nations

1. Summary

Stateless nationalist mobilisation in Western European multinational countries challenged the unitary state structure with demands that ranged from cultural recognition and economic concessions to claims for political independence (Coakley 1992; Rokkan and Urwin 1983). Central government responses to such territorial demands also ranged accordingly, with states trying to manage peripheral discontent without engaging in radical constitutional change, although the persistence and relative strength of demands led to the decentralisation of state structures and the adoption of sub-state self-governing institutions, which exercised some policy powers transferred by the centre so stateless nations could manage (some) of their own affairs autonomously from the central government (Rudolph and Thompson 1989).

The main proponents of such demands for political decentralisation were Stateless Nationalist and Regionalist Parties, which campaigned for sub-state self-government in order to preserve the distinctiveness of their stateless nations and to better manage their own affairs (De Winter 1998a). The success of SNRPs on the decentralisation of state structures also offered the opportunity to these parties to be able to achieve office at the newly created sub-state level of government, which provided for both policy influence and the capacity to voice further territorial concerns to the central government with the legitimacy that elected office entails. Hence, the dual nature of political decentralisation is that while cutting down the prospect of secession by sharing power territorially, central governments also aid stateless nationalists, especially SNRPs, with a formidable platform to put forward further territorial claims. This 'paradox' (Erk and Anderson 2009) is the starting point of this research.

The analysis of the cases of Catalonia, Flanders, and Scotland has clearly emphasised that territorial demands have not stopped after these three stateless nations were granted sub-state institutions with significant competences on different policy areas.

Rather, demands have exacerbated since the turn of the century. The focus of this research has been on the ongoing demands put forward by political parties. Such demands have different nature and scope, with different parties in different contexts putting forward cultural, symbolic, economic, or governmental demands. First, cultural demands are still present regarding stateless nations' languages. The Catalanist parties have long demanded cultural autonomy to preserve the Catalan language, especially in the matter of education; whereas Flemish nationalists insist on the rights of Dutch-speakers in mainly Francophone Brussels and the respect of the linguistic border around Belgium's capital. Symbolic demands are also high on the agenda, with Catalan SNRPs demanding constitutional national recognition and the Flemish parties campaigning together to split the BHV electoral district. Cultural and symbolic demands are less –if at all– relevant in Scotland, since language is not an issue and Scotland's nation-ness is widely accepted by everyone.

Economic demands are also prominent in all three cases, with the Catalans and Flemish parties demanding more fiscal autonomy to collect taxes and to legislate on them. Fiscal autonomy is also stressed as a mechanism to modulate the solidarity transfers that redistribute wealth across the state. Although the nationalists do not want to stop such transfers immediately, they demand more transparency and influence on determining how solidarity has to be implemented. Solidarity transfers have not been an issue in Scotland, but fiscal autonomy has also played an important role in recent constitutional debates with parties aiming at the Scottish Parliament to be more responsible for what it expends. Finally, governmental demands have also been raised by political parties in all three cases with the aim of expanding the policy scope of sub-state governments.

However, political parties have been demanding way more than that. Secession is a highly debated topic and as of 2015 the three main parties leading the Catalan, Flemish, and Scottish executives openly demand secession for the three stateless nations. In Catalonia, CiU has progressively increased their territorial demands. In ten years, the nationalists have gone from supporting a reform of the Catalan Statute of Autonomy half-heartedly to campaign for a referendum on independence. The N-VA won the 2010 Belgian federal election and leads the Flemish executive since 2014, and

although the party supports independence in the long term, it is also committed to further decentralisation. Finally, the SNP has been in power in Edinburgh since 2007 and successfully put forward the holding of a referendum on independence on 18 September 2014. Although independence was rejected at the ballot boxes by the Scottish people, the constitutional question is still vivid and further devolution of powers to the Scottish Parliament is on its way.

The observation of this set of ongoing demands in Western European multinational states has triggered the question of what explains the political dynamics that drive political parties in stateless nations to keep pushing for further territorial empowerment. This study aims to provide an answer to this puzzle by suggesting that party competition in stateless nations drives political parties' territorial demands. Territory and identity are highly contested issues in these contexts, with strong SNRPs, either in power or opposition, putting forward territorial claims that must be met by SWPs in order to be electorally competitive in sub-state politics (Detterbeck and Hepburn 2010; Swenden and Maddens 2009). Thus, it has been argued that competition between SNRPs and between SNRPs and SWPs creates a reinforcing dynamic which leads to an escalation of demands on aggregate.

Territorial demands from political parties in stateless nations are met by central state political actors. The responses of central institutions and SWPs in government at the centre will accordingly have an impact on the evolution of territorial demands. The actions of central state institutions, which have been referred as territorial management strategies (Keating 1988), will create a dynamic of demand-response-demand that political parties in the stateless nation will be able to incorporate as part of their territorial discourse in order to justify further territorial claims. Either a central government rejection of previous demands or territorial concessions perceived to be insufficient by stateless nationalist may set the grounds for reinvigorated territorial demands, which are often accompanied by claims of the central government mistreatment of the stateless nation's identity and ambitions.

Finally, a third factor that contributes to the explanation of political parties' ongoing territorial demands is public opinion. Parties do care about what the population thinks in order to be electorally competitive. Thus, it has been hypothesised that public

support for further constitutional change may lead political parties to incorporate such demand in the party discourse, whereas public indifference to the territorial question or a specific position on the constitution, for instance a reluctant public opinion towards the idea of independence, may contain political parties' territorial ambitions.

Furthermore, this study also aims at combining two main research areas on territorial politics that have not often been put together. On the one hand, the rich literature on SNRPs and SWPs operating in multi-level context is often silent on the effects that party competition may have on constitutional change. On the other hand, the literature on federalism and multinational accommodation of minority nationalism does not pay attention to political party competition and heavily relies on the analysis of political institutions.

Therefore, this research intends to shed some light on the relationship between political parties and constitutional change by providing an explanation of the dynamics that lead political parties to continuously question the territorial status quo. This is a timely research given the saliency of this topic not only in the cases concerned, but also as a wider European issue, with the highly debated run up to the 2014 Scottish independence referendum and the uncertainties about the evolution of the Catalan situation generating both academic interest and political and social debate across Europe. The main focus of the research has been on the dynamics of territorial demands since the turn of the century until 2013, when the Catalan Parliament declared its intention to hold a referendum on independence. However, given the similarities on the escalation of territorial demands in other stateless nations in Western Europe, this research has also looked at the cases of Flanders and Scotland to provide a wider framework for analysis and case variation.

This concluding chapter will look in turn at the effects of party competition on the dynamics of territorial demands, followed by the effects of territorial management and public opinion. The last section wraps up the argument developed in this research, critically analyses the shortcomings of this project, and finally points out future lines of research and contextualises the most recent events that suggest that territorial demands in stateless nations are far from being over.

2. Party Competition as the Main Explanatory Factor of Territorial Demands

The empirical analysis of Catalonia shows that party competition drove the demand to reform the Catalan Statute of Autonomy. Party competition is developed in a government-opposition dynamic that leads parties in opposition to put pressure on governing parties in order to develop constitutional change. SNRPs have been long regarded as implementing ‘tribune strategies’ (De Winter 1998b) to force SWPs in government to incorporate some elements of constitutional change. In Flanders, the case of the VU pressuring for the federalisation of Belgium –and its ultimate success– has been discussed in chapter 7. Likewise, the victory of the N-VA in the 2010 Belgian election made constitutional change unavoidable after the traditional Flemish parties had already incorporated it in their territorial discourses. In Scotland, the breakthrough of the SNP led Labour to support devolution.

However, the analysis of Catalonia shows that SWPs can also play the ‘regionalist card,’ as the PSC did when supporting a reform of the Catalan Statute of Autonomy that set CiU on the wrong foot due to its dependency for support in the Catalan Parliament on the centralist-minded PP. CiU was nevertheless able to pay the PSC back when consistently increased the ambitions of its territorial proposals during the drafting of the Statute reform in order to put under stress the Socialists’ coalition with the independence-seeking ERC. Thus, CiU not only pressured the PSC but also ERC by challenging *Esquerra*’s secessionist credentials by going hand in hand with the federalist-minded PSC. The Catalan Statute reform negotiation clearly shows how competition between both SNRPs and SWPs and between SNRPs themselves led to an escalation of the scope and ambition of the reform.

However, competition between parties does not only lead to further territorial demands when parties face each other in a government-opposition dynamic. The Flemish cartel between the CD&V and the N-VA increased the regionalist profile of the Christian-Democrats and their commitment to not take part in the federal government if no state reform was achieved. The CD&V chose government over the N-VA with the resulting breakup of the alliance, but the influence of the nationalists on the Christian-

Democrats remained. Thus, cooperation between parties can also lead to a strengthening of territorial demands. Once parties agree on a common territorial objective, it is very difficult to back off. This is also the case in Catalonia between CiU and ERC. After the government-opposition dynamics that defined the relationship between the two parties during the process of reform of the Statute of Autonomy, the two parties decided to cooperate after the 2012 election. The radicalisation of the two SNRPs, which demand to hold a referendum on independence, makes it quite difficult for CiU especially to desist once they committed to it for fear that the ERC will blame them for lowering down their expectations. In Flanders, the N-VA benefited from the breakup of the cartel following the 2008 disagreement between the N-VA and the CD%V. In Catalonia, the ERC might benefit as well if CiU went to back off, as the ERC victory in the 2014 European election suggests.

SNRPs in power at the sub-state level provide a higher saliency of territorial demands, since these are strengthened by the legitimacy given by the electoral support. When SNRPs put forward significant demands, SWPs in opposition may also raise some territorial demands to counterbalance the appeal of the proposals of the SNRPs in power. Nowhere this situation has been more evident than in Scotland after 2007. Once the SNP achieved office, the opposition SWPs started discussing an expansion of self-government powers to challenge the intention of the nationalists to hold a referendum on independence. The recommendations of the Calman Commission however did not prevent the returning of the SNP to office in 2011, this time with an overall majority which made the referendum almost inevitable after the SNP received such a clear democratic mandate. Yet again, the opposition SWPs offered further transfers of powers in order to cut short the appeal of independence to the Scottish people. Following the defeat of the 'Yes' campaign in the September 2014 referendum, though, further powers for the Scottish Parliament are negotiated and as a result, aggregate territorial demands as a product of the government-opposition dynamics of the competition between the SNP and the unionist parties have crystallised.

Although less evident, this pattern of SWPs offering counterproposals is also present in Catalonia. While the SNRPs substantially increased their demands after the Constitutional Court's ruling on the Statute of Autonomy, the PSC also took some

–minor– steps. Whereas CiU and ERC demanded full fiscal autonomy first (2010-2012) and a referendum on independence in the run-up to the 2012 election, the PSC also demanded some constitutional change to counterbalance the SNRPs increased demands. As we have seen, the party countered CiU’s bid for full fiscal autonomy with a –more moderate– reform of fiscal autonomy as long as the perennial demand for constitutional change to advance on the federalisation of Spain. Although these demands lacked credibility at first due to the Spanish-wide PSOE rejecting them from scratch, the radicalisation of the SNRPs’ demands since 2012 have led the PSOE to support –in principle– constitutional reform. However, the margin of action of the PSOE, in opposition at the central level since 2011, is rather limited.

To sum up, then, the three cases provide with rich evidence that party competition decisively triggers demands for constitutional change. The dynamics of competition include on the one hand competition between SWPs and SNRPs, with SNRPs usually putting forward more enhanced territorial demands and the SWPs countering them in order to cut down the electoral success of the SNRPs, but increasing territorial demands on aggregate nevertheless. Yet the exception of the PSC demanding the reform of the Statute is worth noticing. Furthermore, the Catalan case shows that competition between SNRPs is highly determinant as well, with different SNRPs outbidding each other in terms of territorial proposals, especially when one SNRP is in government and another is in opposition. Cooperation between SNRPs may also lead to enhanced demands, as shown by the Flemish cartel and the agreement between CiU and ERC to secure the parliamentary majority in favour of a referendum on Catalan independence. On the other hand, the dynamics of government and opposition also enhance territorial demands, either because parties in opposition put pressure on the governmental parties to demand constitutional change, or because the opposition parties offer counterproposals to radical demands put forward by parties in power.

Hypothesis 1 therefore seems to be mostly validated. The evidence shows that SNRPs in government have pushed for territorial reform and that SWPs have reacted to the former’s territorial agendas by putting forward proposals of their own as done by the PSC in Catalonia, and the traditional parties in Flanders and the unionist parties in Scotland. However, it is also worth emphasising the role played by CiU in the

opposition between 2003 and 2010. By getting rid of the constraints of being in power and the risks for not delivering, CiU was free to put forward a more ambitious territorial agenda that put pressure on the PSC and ERC. This shows that strong SNRPs in opposition can also be very influential in accelerating aggregated territorial demands by the effect that party competition generates on their competitor parties, pressuring them to equal the opposition parties' proposals to remain appealing to the electorate.

3. The Influence of Territorial Management and Public Opinion

Territorial management strategies have great influence on the dynamics of territorial demands. The Catalan case clearly exemplifies the importance that central government actions have in reinforcing or appeasing the centrifugal dynamics of demand-response-demand. Rejectionist strategies and constant opposition to constitutional change have led to a radicalisation of territorial demands in Catalonia. The reform of the Statute of Autonomy involved a negotiated process in which the constitutional question seemed ready to be settled down for a long while. After the reform was ratified by the Catalans, political parties accepted the will of the Catalan voters and even the independence-minded ERC focused on developing the new self-government law.

The Constitutional Court's ruling on the Statute provided SNRPs with a justification to pose as victims of the state. In two years, from 2010 to 2012, demands escalated substantially, and as we have seen the continuous rejection to negotiate subsequent demands –i.e. more fiscal autonomy– by the Spanish government has led to a continuous radicalisation of the demands of CiU and ERC, and territorial tensions have been running high since.

Although set in a rather different context, the bipolar and essentially divisive nature of Belgium has produced deadlocks at the federal level between the Flemish and the French-speakers and hazardous negotiations on constitutional reform. The successive federal governmental crisis of 2007 and 2010-2011 have fuelled the N-VA's argument that further decentralisation would solve the question of federal governmental

deadlocking by removing competences subject to be negotiated between the two communities. The electoral success of the N-VA in 2010 preceded the sixth constitutional reform in Belgium since 1970 although the nationalists rejected it for not being ambitious enough. However, they were returned as victors in the 2014 federal and regional elections.

The specific nature of territorial management in Belgium is nevertheless different from that of Spain, and accordingly the dynamic of demand-response-demand has evolved differently. Although secessionist parties are strong in both contexts, the Catalan SNRPs are currently pursuing secession after what they perceived to be an unwillingness of the Spanish central government to further decentralise the country. In Belgium, the secessionist N-VA, is working at the federal level to further decentralise Belgium and implement confederalism. The Flemish, however, are a majority of the Belgian population and the Flemish parties' territorial aims are sought on a bilateral negotiation with their Francophone counterparts, whereas the Catalans are a minority in Spain and perceive they have no such power to determine constitutional change.

The case of Scotland is rather different since the UK has traditionally been willing to accommodate Scottish demands for self-government, and the September 2014 referendum proves that self-determination is a widely acknowledged fact. Once independence was rejected by a majority of Scottish voters, the SNP has accepted the result and thus has little margin for victimisation against the UK government and have since moderated its demands, leaving independence for a later date and focusing on negotiating the power transfers promised by the unionist parties during the referendum campaign.

Hypothesis 2 seems to stand clearly for the case of Catalonia, as the continuous rejection of Catalan demands by the Spanish government has fuelled Catalan nationalist parties' progressive demands, ranging from the reform of the Statute of Autonomy, to a new fiscal agreement to increase the economic and fiscal powers of the Catalan government, to a referendum on independence. The impact of central government actions is less clear in the case of Scotland and Flanders. In Scotland, the UK government has been willing to negotiate the SNP government's demands, and

most notably permitted the September 2014 referendum on independence. In Flanders, due to its essentially bipolar nature, it is difficult to identify 'who' is the centre. In a certain way, the Flemish political parties are part of the 'centre,' and even if there is a case to affirm that the traditional parties put forward a constitutional reform to counter the electoral success of the N-VA after the 2010 Belgian federal election, the party has put aside its territorial agenda and has even become a government party at the federal level after the 2014 federal election –won again by the N-VA.

The differences between Catalonia, and Flanders and Scotland are also evident regarding the impact of public opinion on territorial demands. Support for independence has skyrocketed in Catalonia since 2010, and mass demonstrations for self-government and independence have been organised every year since 2012 with no symptoms of a substantial decrease in attendance. Conversely, although both Scots and Flemish support further decentralisation, support for independence has been rather stable in both cases: a consistent tendency of around 30% of Scots while almost negligible amongst the Flemish. Constitutional preferences in both cases, albeit substantially different in quantitative terms, influence nevertheless political parties' territorial aims. The N-VA in Flanders is perfectly conscious that independence is not desired and so the party emphasises its commitment to further decentralisation, which has proven to be electorally successful even if the party's success cannot only be explained by its territorial stance. Similarly, the consistent support for independence in Scotland certainly was taken into account by the SNP to put forward the demand for a referendum. Had independence support been negligible, it is reasonable to think that the SNP would not have risked to have independence battered at the polls. Conversely, consistent support for independence and the fears late in the referendum campaign that independence might have carried the day secured the unionist parties' pledge to further devolution to the Scottish Parliament.

Hypothesis 3 seems therefore to be validated in the three cases. Parties respond to public opinion and CiU has taken into account the increasing support for Catalan independence amongst the population when launching its progressive territorial agenda including a referendum on the matter. However, establishing causality is complicated because, as the former secretary general of CiU claimed, many people

started supporting independence because the party had progressively supported independence. The comparison with Flanders and Scotland comes very handy here, though, since parties in both contexts have reacted to the people's views on the territorial question. In Flanders, with a scarce support for secession, the N-VA has accepted that and talk about independence 'in the long term.' In Scotland, the substantial amount of people that support independence clearly influenced the SNP to give it a shot and put forward a referendum on independence that returned 45% of voters saying 'Yes,' while the consistent support for more powers to be delivered to the Scottish parliament was also instrumental in the unionist parties' decision to offer to increase Scottish autonomy in the event of a 'No' victory in the September 2014 independence vote.

4. Explaining Territorial Demands in Western European Multinational States

The analysis of party competition seems to confirm our first hypothesis that demands posed by the SNRPs while in government lead to counterproposals by SWPs, as the Scottish and Catalan cases suggest. However, party competition is also driven by government-opposition dynamics as the Catalan case clearly shows between the PSC-CiU competition and the CiU-ERC competition, while cooperation between parties can also impose particular territorial commitments to a common objective which may be tricky for a party to abandon as the Flemish and the Catalan cases show for the cooperation between the CD&V and N-VA, and CiU and ERC, respectively.

When negotiations for constitutional change are not successful and the central government is blamed by the sub-state political actors, they may generate alternative demands being raised and the establishment of a dynamic of demand-response-demand. If this dynamic evolves into a centrifugal process in which demands are not attended by the centre and substantially increased as a result by the stateless nations' political actors, a radicalisation of demands is the most likely outcome. This has been the logic in Catalonia since 2010 after the Constitutional Court's ruling on the Statute of Autonomy. From 2006 until 2010, the Catalanist parties understood that their

demand for a new Statute had been attended, even if partially. The Court's ruling changed that perception entirely and further demands ensued. The successive rejection of demands has led a centrifugal dynamic of demand-response-demand to crystallise which has eventually led to a radicalisation of the demands of Catalan SNRPs. Thus our second hypothesis seems to be confirmed. Furthermore, the continuous willingness of the UK SWPs to transfer further powers to the Scottish Parliament, if only to counter the SNP decisive commitment for Scotland's independence, has led to a positive response which has halted the appeal for radical demands, as the result of the independence referendum suggests.

Finally, as detailed in the previous section, public opinion does seem to matter to political parties, which would also confirm our third hypothesis, especially for the Catalan and Scottish cases. The evolution of CiU towards supporting independence seems to go in line with the recent backing of independence amongst the Catalan electorate, while the unionist parties in Scotland have reacted to the SNP successes by offering more devolution, which goes in line with the Scottish population's top constitutional preference. In Flanders, given the meagre support for Flemish independence it is debatable whether the hypothesis validates the N-VA continuous support for independence, although the party presents independence as a long term aim and somehow adapts to the preference of a substantial share of the Flemish public that desires more decentralisation.

Notwithstanding the influence of the state's territorial management and public opinion, it seems that party competition is the factor that carries more weight in driving political parties' territorial demands. Territorial management actions are interpreted by political parties and reframed in the parties' discourse to better suit the parties' own needs. The Catalan case is illustrative in that regard. The Constitutional Court ruling on the Statute of Autonomy triggered the outrage of Catalanist political parties, and certainly the 2010 mass demonstration influenced on building up on such outrage at the perceived mistreatment of Catalan self-government by Spain's central institutions. However, the negotiation of the Statute reform in Madrid also involved a watering down of the first draft of the reform agreed by the Catalanist political parties. However, that process

was accepted by the main actors –CiU and PSC– and the opposition of the ERC was rather anecdotic.

Likewise, public opinion is also influenced by the political parties' views on constitutional change. Therefore, it is difficult to argue that the boost on public support for independence seen after 2010 in Catalonia is exclusively due to the independent effects of the Constitutional Court ruling on the Statute and not affected by the vociferous rejection that the Catalanist parties made of that ruling. Party competition, the effects of territorial management and the responses to previous territorial demands and the mood of public opinion on constitutional issues all have an influence in determining political parties' views on territory and the constitution. The analysis of Catalonia has shown though that party politics played a role in determining the origins and motivations to reform the Statute of Autonomy. Similarly, the limited analysis carried out in Chapter 7 seems to point out that party competition matters in explaining demands for constitutional change directed at enhancing the self-government of Flanders and Scotland. The results of this modest comparative analysis further highlight the importance that party competition has as a crucial explanatory variable to explain the ongoing progressive dynamic of territorial demands in Catalonia.

This research design has focused on party competition, central government strategies, and public opinion as the explanatory variables of the dynamics of territorial demands in stateless nations. However, the analysis of the three cases, and especially of the Catalan case, point out that other factors may as well be important. Within the limitations of a Ph.D. Thesis, and aiming at a parsimonious research design, these three variables have been considered. Two other factors also come up from the analysis to be potentially relevant.

First is the economy. The recent wave of enhanced territorial demands in the three stateless nations under study have occurred coincidentally with a severe economic and financial crisis. Thus, it could be argued that economic hardship makes resources scarcer and accordingly SNRPs and sub-state political actors will demand more powers on economic matters –or outright independence– to be better prepared to fight economic crises. This has been a part of the analytical discourse regarding Catalan and Flemish demands for further fiscal autonomy, accompanied by the assumption that

demands for independence would not occur if the economic situation was better. This is an interesting hypothesis which has not been directly included in the analysis, though political parties' economic demands have been included as a substantial element of party competition. However, a reasonable question to ask would be why such processes of increasing territorial demands have not occurred before during other economic crises, such as in the 1990s. Economy is, nevertheless, a factor to be taken into account in more detailed analysis of the reasons for stateless nationalists' territorial demands.

A second factor that has caught the author's attention is the role of internal party dynamics in explaining party positioning on the territorial question. When explaining party competition this thesis has focused mainly on the competition between political parties. There have been some elements coming from the research interviews and also from the parties' responses to the evolution of the political situation that seem to suggest that internal party dynamics also play a highly important role in determining the party's positioning on the territorial question.

The role of intra-party conflict has not been dealt with in this research, in which the political parties have been mostly discussed as homogenic and consistent actors. Yet the case of ERC and its two splits has been briefly discussed, as well as the internal struggles within the PSC and its relationship with the PSOE. The ongoing attempts by the Catalan nationalist parties to hold a referendum have produced internal conflict in the PSC and the CiU, most remarkably. These internal conflicts have indeed been going on for years and perhaps the late splits suffered by both parties –which lie quite beyond the timeframe of this analysis– have nevertheless made the author realise that internal party dynamics may play an important role. First, the PSC suffered the progressive split of the most Catalan nationalist members of their leadership and rank-and-file. These internal tensions included several conflicting votes within the party's parliamentary groups in Madrid and Barcelona. Eventually, several of those Catalanists who abandoned the party ended up creating a loose coalition which supports independence, whereas the resulting PSC leadership has now clearly aligned with their Spanish counterparts and has brought back some internal coherence to the

party in rejecting the referendum on independence and pushing for constitutional reform.

The case of CiU is even more relevant. In this coalition that has ruled Catalonia for 28 out of the 35 years since the reestablishment of Catalan self-government, the junior UDC party was progressively pulled by CDC to support increased territorial objectives. The UDC supported a referendum on independence before the 2012 Catalan election, even when the UDC leader, Duran i Lleida, kept assuring he was not in favour of Catalan secession. After the impossibility to hold a legal referendum due to the central government's opposition, Artur Mas and CDC decided to call for another snap election on 27 September 2015 to be considered a *de facto* plebiscite on independence, with the parliament set to declare independence unilaterally if the pro-independence parties achieved a majority. For UDC this was clearly going too far and inevitably the decades-old coalition split in June 2015 following disagreements on the constitutional future of Catalonia.

The recent splits and internal tensions occurred in the main Catalan parties suggest that this process of ongoing demands has had an effect on the internal balances in political parties. Thus, it makes sense to ask whether such influence could work the other way round and whether internal party tensions may also explain the parties' positioning on the territorial question. Although this has not been directly considered in the research design, it is another factor that could contribute to better explain the dynamics of territorial demands in stateless nations.

Alongside the limitations on explanatory factors, the generalisability of the results is also affected by the unbalanced comparison between Catalonia, and Flanders and Scotland. The limited analysis on the Scottish and Flemish cases surely helps us to better understand the dynamics of territorial demands in Catalonia, yet the results of this research cannot be expanded to the two complementary cases, and neither can the explanations provided on the role of party competition as a driver of territorial demands be applied to other well-known cases of stateless nations, such as Quebec, Wales, the Basque Country, or Galicia.

However, this study has shed some light on the dynamics of territorial demands in Catalonia. Furthermore, the experience of Catalonia in the last decade can teach us some lessons about the nature of federalism and decentralisation. Although this research does not aim to answer the ‘paradox of federalism’, that is, whether federalism exacerbates or constrains secession, we have pointed out that not only institutions matter, political actors do as well. The Catalan case shows that federalism has provided a very good platform for secessionist parties to seriously threaten the territorial integrity of Spain, but, as yet, secession has not occurred. Nor did it happen in Scotland following the secessionists’ defeat in the 2014 referendum. It remains to be seen if the total opposition to renegotiate a new constitutional settlement by the PP central government will push a clear majority of Catalans towards supporting independence in the future. The recent 27 September 2015 Catalan election returned a majority of pro-independence seats in Parliament, yet an overall pro-independence vote short of 50%. New general elections in Spain in December 2015 may deliver a government change and perhaps a territorial policy change towards Catalan demands. And even if this were not the case, the obstacles and costs to achieve unilateral independence may prove too great to seduce a majority of the Catalan population.

This research has aimed to show the importance of party competition in stateless nations’ to explain the dynamics of ongoing territorial demands in multinational states. Such demands are far from over. The defeat of independence in the Scottish referendum has opened the way to enhanced devolution and the SNP will be vigilant that the SWPs’ promises on further self-government are kept. The electoral success of the N-VA and its long-term commitment to independence will lead other political parties to continue pushing for further decentralisation in Belgium in order to match the popular nationalists’ views on the territorial question. Finally, territorial tension has been higher than ever in Catalonia with the demand to hold an independence referendum akin to the one held in Scotland on 18 September 2014 continuously rejected by Spain’s central government of the PP. Facing pressure from ERC and the secessionist civil society, Artur Mas called for a non-binding public consultation on independence held on 9 November 2014 with 1.8 million Catalans taking part on it and around 80% voting for independence. It was a bold move by the Catalan PM which has led him to be brought to court for violating an explicit prohibition by the

Constitutional Court to hold the consultation. However, the pressure of ERC, which would have quickly discredited Mas for cowering out forced him to play on the offense. At the time of writing, a pro-independence majority exists in the Catalan Parliament following the September 2015 election, which assures that territorial conflict will still be highly salient for the time being in Catalonia.

Competition between CiU and ERC has escalated Catalan demands since the negotiation of the reform of the Statute of Autonomy. The competition to decide which party will spearhead the next phase of demands will go on. Party competition between both parties will surely help to understand the future constitutional path of Catalonia. The analysis of that constitutional future, though, will be the topic for another Ph.D. Thesis.

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